

CityofCedarRapidsHousingServices PHAPlan

5YearPlanforFiscalYears2000 -2004
AnnualPlanforFiscalYear2002

January31,2002
RevisedApril3,2 002

**NOTE:THISPHAPLANSTEMPLATE(HUD50075)ISTOBECOMPLETEDIN
ACCORDANCEWITHINSTRUCTIONSLOCATEDINAPPLICABLEPIHNOTICES**

PHA Plan Agency Identification

PHAName: CityofCedarRapidsHousingServices(CRHS)

PHANumber: IA024

PHAFiscalYearBeginning: July1,2002

Public AccesstoInformation

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

- ☒ Main administrative office of the PHA
- ☐ PHA development management offices
- ☐ PHA local offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- ☒ Main administrative office of the PHA
- ☐ PHA development management offices
- ☐ PHA local offices
- ☒ Main administrative office of the local government
- ☐ Main administrative office of the County government
- ☐ Main administrative office of the State government
- ☒ Public library
- ☐ PHA website
- ☐ Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- ☒ Main business office of the PHA
- ☐ PHA development management offices
- ☐ Other (list below)

5-YEAR PLAN
PHAF ISCAL YEARS 2000 -2004
[24CFRPart903.5]

A. Mission

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

- ☒ The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.
- ☐ The PHA's mission is: (state mission here)

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHA may select any of these goals and objectives as their own, or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, **PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS.** (Quantifiable measures would include targetssuch as: numbers of families served or PHA Scores achieved.) PHA should identify these measures in the space to the right of or below the stated objectives.

HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.

- ☒ PHA Goal: Expand the supply of assisted housing
- Objectives:
- ☐ Apply for additional rental Vouchers:
 - ☐ Reduce public housing vacancies:
 - ☐ Leverage private or other public funds to create additional housing opportunities:
 - ☐ Acquire or build units or developments
 - ☒ Other (list below)

[CRHS will utilize current funding to increase the number of participants by surveying voucher holders that are unsuccessful in finding housing and establishing goals to address the outcomes. The goal is to increase the lease-up rate of CRHS.

Objective: CRHS is working to achieve a 95 percent lease -up rate by July 1, 2002.]

☒ PHAGoal:Improvethqualityofassistedhousing

Objectives:

- ☐ Improvepublichousingmanageme nt:(PHASscore)
- ☒ ImproveVouchermanagement:(SEMAPscore)

[CRHSwillimprovethemarketingoftheprogramtoLandlordssasto increasetheplacementrecord.Thisshouldresultinimprovedplacement andgeographicdistributionofprogramparticipantsthroughoutthe community.

☒ Increasecustomersatisfaction:

[CRHSwillenhancetheroleoftheTenantBoard.Membershipinthe TenantBoardwillbeencouragedaspartoftenantcounselingupon admissionoroutreachmailingswillgotoallprogramparticipantsduring fiscalyear2001.]

- ☐ Concentrateoneffortstoimprovespecificmanagementfunctions: (list;e.g.,publichousingfinance;Voucherunitinspections)
- ☐ Renovateormodernizepublichousingunits:
- ☐ Demolishordisposeofobsoletepublichousing:
- ☐ Providereplacementpublichousing:
- ☐ ProvidereplacementVouchers:
- ☐ Other:(listbelow)

☒ PHAGoal:Increaseassistedhousingchoices

Objectives:

- ☐ ProvideVouchermobilitycounseling:
- ☒ ConductoutreacheffortstopotentialVoucherlandlords

[CRHSwillimprovethereachoftheprogramtolandlordsthroughout thecommunityprovidingmorechoicetoparticipatingSection8 householdsacrossthemetropolitanarea.]

- ☐ IncreaseVoucherpayment standards
- ☐ ImplementVoucherhomeownershipprogram:
- ☐ Implementpublichousingorotherhomeownershipprograms:
- ☐ Implementpublichousing site -basedwaitinglists:
- ☐ ConvertpublichousingtoVouchers:
- ☐ Other:(listbelow)

HUD Strategic Goal: Improve community quality of life and economic vitality

- ☐ PHA Goal: Provide an improved living environment
- Objectives:
- ☐ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
 - ☐ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
 - ☐ Implement public housing security improvements:
 - ☐ Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
 - ☐ Other: (list below)

HUD Strategic Goal : Promote self -sufficiency and asset development of families and individuals

- ☒ PHA Goal: Promote self -sufficiency and asset development of assisted households
- Objectives:
- ☒ Increase the number and percentage of employed persons in assisted families:

[Currently the Family Self -Sufficiency program has fewer than 20 participants.
Objective: By July 1, 2002, the CRHS expect to increase the number of families participating in the Family Self -Sufficiency program to 100.]
 - ☐ Provide or attract supportive services to improve assistance recipients' employability:
 - ☐ Provide or attract supportive services to increase independence for the elderly or families with disabilities.
 - ☐ Other: (list below)

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

- ☒ PHA Goal: Ensure equal opportunity and affirmatively further fair housing
- Objectives:
- ☒ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, and disability:

- ☐ Undertakeaffirmativemeasurestopprovideasuitablelivingenvironment forfamilieslivinginassistedhousing,regardlessofrace,color,religion nationalorigin,sex,familialstatus,anddisability:
- ☐ Undertakeaffirmativemeasurestoensureaccessiblehousingtopersons withallvarietiesofdisabilitiesregardlessofunitsizerequired:
- ☐ Other:(listbelow)

OtherPHAGoalsandObjectives:(listbelow)

PrimaryObjective:

TheprimaryobjectiveforCityofCedarRapidsHousingServicesistoincreasethe numberofVoucherssuccessfullyplacedinapprovedunits.Currently,theCRHSahas approximately988of1,235(80percent)Vouchersunderlease.TheCRHSplanstotake stepstoincreasethisperformance.Outreacheffortswillbeundertakentoattractmore landlordstothe program.CHRShillseektheassistanceofvarious social service providerstoassistprospectiveprogramparticipantsinthelifeskillsnecessarytofindand maintainanindependenthousehold.

SecondaryObjectives:

TheCRHSplanstoimprovetheparticipationofitsassistedhouseholdsintheFamily Self-Sufficiencyprogram.Currently,theCRHSahasabout58familiesparticipatinginthe programwitharequirementtohave112familiesparticipatingasofJune30,2001. Originally,wewere requiredtohave120familiesundercontract,butduetosuccessful completionsthishasbeenreduced.CRHSwillseektoexpandthenumberoffamilies participatinginthe program.

TheCRHSplanstoincreasethellevelofparticipationoffamiliesintheResident AdvisoryBoard.Participatingfamilieswillbecontactedconcerningtheirinterestin servingontheBoard.TheviewsandcommentsofBoardmemberswillbeusedtoguide CRHSpoliciesandproceduresinthefuture.

AnnualPHAPlan
PHAFiscalYear2000
[24CFRPart903.7]

i. AnnualPlanType:

Select which type of Annual Plan the PHA will submit.

☒ **StandardPlan**

StreamlinedPlan:

- ☐ **HighPerformingPHA**
- ☐ **SmallAgency(<250PublicHousingUnits)**
- ☒ **AdministeringSection8Only**

☐ **TroubledAgencyPlan**

ii. Executive Summary of the Annual PHA Plan

[24CFR Part 903.79(r)]

The City of Cedar Rapids Housing Services operates as a housing authority for the City of Cedar Rapids, Iowa as well as for Linn County, Iowa. While the authority does not have any public housing, it operates Section 8 Tenant-Based Voucher program throughout the community:

- **Section 8 Certificates and Vouchers**

The City of Cedar Rapids Housing Services administers 1,235 Vouchers for use throughout the community. These are standard Vouchers to be used anywhere the recipient household can find an acceptable dwelling unit.

CRHS maintains a waiting list for admission into the Section 8 Rental Assistance. The waiting list is open to everyone, but eligible applicants must have income at or below 80 percent of the Area Median Family Income. This waiting list is managed on a "first-come-first-served" basis with only a few exceptions. These exceptions do permit a family to be moved to the top of the waiting list if certain conditions exist. These conditions are:

- At least 75 percent of applications are targeted for income at or below 30 percent of Area Median Family Income,
- An eligible household has been displaced by government actions such as the demolition of the home or displaced by disaster,
- The family has been referred to CRHS as a homeless family suitable for the Family Unification Program, or
- The family has been referred to CRHS as a disabled family suitable for the Mainstream Disability Program.
- The family is eligible to participate in the project-based certificate program at Edgewood Apartments.

Households who receive Vouchers from CRHS are able to lease housing units of their choice if the unit rent is acceptable under the terms of the Voucher Program and the unit passes inspection for physical condition.

- **Family Self-Sufficiency Program**

The City of Cedar Rapids Housing Services operates a family self-sufficiency program to promote the development of local strategies to coordinate the use of Section 8 rental assistance with local private and public resources to enable families to receive assistance under these programs to achieve economic independence and self-sufficiency. Staff personnel of the CRHS implement the self-sufficiency program.

The objective of this program is help Section 8 recipients who are on welfare or other public assistance program toward economic independence through education, job training, job placement, social and life skill training, child care programs, personal financial management, and related social service assistance.

Eligible Section 8 recipients are encouraged to participate in the program. Upon admission to the program, each participating household is assessed in terms of needs and provided with an individual plan outlining resources and services to be utilized. Participants are then provided case management that can move them toward self-sufficiency.

HUD had established a requirement that 120 families within the community participate in the Family Self-Sufficiency Program. This has been reduced to 112 because of successful completions by participants in the program. CRHS is working to achieve that requirement. At present, 58 families are actively enrolled in the program.

- **Family Unification Program**

The City of Cedar Rapids Housing Services administers approximately 200 Section 8 Vouchers through the Family Unification Program. This initiative is designed to help homeless families remain intact and to reunify family members who have seen their family members dispersed due to homelessness.

The Family Unification Program (FUP) is funded through the Department of Housing & Urban Development under the Section 8 program. Cedar Rapids was originally funded for 200. Only families eligible for assistance under the FUP may use these Vouchers. This program is a collaborative effort between the Department of Human Services of Linn County (DHS) and the City of Cedar Rapids Housing Services Office.

The program provides assistance to families for whom a lack of adequate, suitable housing is a primary factor in the separation, or potential for separation of the children, from their families. It can also be used if there is a delay in the discharge of children (preventing the children from returning home), due to lack of appropriate housing.

Various agencies may make referrals to DHS and the DHS liaison certifies the referral. DHS then forwards the referral to the Housing Services Office. Participating agencies provide ongoing support services as needed.

Standards of Evaluation were set up as follows:

1. At least 90 percent of children threatened with separation from their families or reunited with families will remain together in their subsidized unit for 6 months. This standard has been met.

2. At least 75 percent of the participating families must remain in their unit for at least one year. This standard has been met.
3. At least 65 percent of participating families must remain in their unit for at least two years. This standard has not been tracked. This standard will be evaluated.

- **Mainstream Disability Program**

The City of Cedar Rapids Housing Services administers approximately 100 Section 8 Vouchers through the Mainstream Disability Program. This initiative provides Section 8 Vouchers to households who have members suffering from disabilities that prevent them from finding affordable housing. These 100 Vouchers are set aside exclusively for use by eligible disabled households.

The CRHS received funding for 100 Vouchers on January 1, 1999. Outreach to various agencies working with disabled persons has provided referrals to CRHS by having the disabled person make an application for Section 8 rental assistance.

Applicants are selected from the waiting list to fill the available Vouchers without regard to time and date of their application. CRHS has set aside \$10,000 from Operating Reserve to fund the cost of needed accommodation should welling unit if no other resources were available. To date, this fund has not been used. In addition, a partnership was formed with the Linn County Civitan Club and CRHS by providing \$1,000.00 each (a total of \$2,000) to fund 0% interest loans for disabled persons up to \$200 to pay for security deposits and/or utility deposits. To date, this fund has helped approximately 31 individuals/families.

- **Housing Preservation Fund**

The City of Cedar Rapids Housing Services administers 66 Section 8 Vouchers through the Housing Preservation Fund. This fund is part of a program to preserve affordable housing within Cedar Rapids.

In November of 1998 the owners of Cedar Valley Apartments sold the apartment complex to Metro Area Housing Partnership (MAHP), a non-profit agency. By doing this 66 residents of the complex were determined eligible by HUD for preservation Vouchers because the owner had prepaid or voluntarily terminated the mortgage insurance contract. CRHS was chosen by HUD to administer the program. The residents of Cedar Valley became eligible for the Voucher on February 1, 1999. CRHS verified 16 families qualified for the program in January of 1999. Several families that HUD had initially believed to be eligible did not meet the occupancy requirements for the unit they were living in. Some of these households chose not to move, and others were not interested in receiving rental assistance. At the present time there are only 9 families participating in the program.

- **Project-Based Certificates: Edgewood Apartments**

The City of Cedar Rapids Housing Services administers 48 Section 8 Project-Based Certificates, which are attached to the Edgewood Apartments, a housing development for senior households in Cedar Rapids.

An application by CRHS was submitted to HUD in 1991 asking HUD to approve CRHS participation in a Project Based Program using CRHS' current funding. HUD approved the application in 1994 to provide rental assistance for 48 one-bedroom units constructed by Dial Company in the Edgewood Apartments. On October 1, 1994 the Dial Company entered into a Contract with the CRHS. The 48 one-bedroom units were funded through the Section 42 Low-Income Housing Tax Credit program. Applicants must first be on the CRHS waiting list before they can submit an application at Edgewood Apartments. Their Section 8 application remains on CRHS waiting list even if they are accepted at Edgewood Apartments. When an applicant's name reaches the top of the CRHS waiting list the household is given a choice to remain at Edgewood or receive a Voucher to look for other housing. If the applicant accepts a one-bedroom unit, the household must remain at Edgewood Apartments in order to continue to receive the Section 8 rental assistance. If the household moves from the complex, the household is no longer eligible for Section 8 rental assistance.

iii. Annual Plan Table of Contents

[24CFR Part 903.7 9(r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

Table of Contents		<u>Page#</u>
Annual Plan		
.0		
i. Executive Summary		8
ii. Table of Contents		
1. Housing Needs		17
2. Financial Resources		25
3. Policies on Eligibility, Selection and Admissions		26
4. Rent Determination Policies		37
5. Operations and Management Policies		42
6. Grievance Procedures		45
7. Capital Improvement Needs		46
8. Demolition and Disposition		48
9. Designation of Housing		49
10. Conversions of Public Housing		50
11. Homeownership		52
12. Community Service Programs		54
13. Crime and Safety		58
14. Pets (Inactive for January 1 PHAs)		60
15. Civil Rights Certifications (included with PHA Plan Certifications)		61
16. Audit		62
17. Asset Management		63
18. Other Information		64
19. Definitions		66
20. Attachment – Administrative Plan		67
21. Attachment – Progress Report on Five Year Plan		67
22. Attachment – Membership of the Resident Advisory Board		68

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the filename in parentheses in the space to the right of the title.

Required Attachments:

- ☐ Admissions Policy for Deconcentration [A. Administrative Plan]
- ☐ FY2000 Capital Fund Program Annual Statement [Not applicable]
- ☐ Most recent board -approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

- ☐ PHA Management Organizational Chart
- ☐ FY2000 Capital Fund Program 5 Year Action Plan
- ☐ Public Housing Drug Elimination Program (PHDEP) Plan
- ☐ Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)

- ☒ Other (List below, providing each attachment name)

[Section 8 Administrative Plan, attached as file "IA024a1.doc".]

Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certification of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
	Most recent board -approved operating budget for the public housing program	Annual Plan: Financial Resources;
	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public Housing Deconcentration and Income Mixing Documentation: 1. PHA board certification of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/ 99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 2. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the methodology for setting public housing flat rents <input type="checkbox"/> check here if included in the public housing A&O Policy	Annual Plan: Rent Determination
	Schedule of flat rents offered each public housing	Annual Plan: Rent

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
	development <input type="checkbox"/> check here if included in the public housing A&O Policy	Determination
X	Section 8 rent determination (payment standard) policies <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
	Public housing grievance procedures <input type="checkbox"/> check here if included in the public housing A&O Policy	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
	The HUD - approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 5282 5) for any active CIAP grant	Annual Plan: Capital Needs
	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans	Annual Plan : Homeownership
	Policies governing any Section 8 Homeownership program <input type="checkbox"/> check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
X	Any cooperative agreement between the PHA and the TANF agency [Described in the Section 8 Administrative Plan.]	Annual Plan: Community Service & Self - Sufficiency
X	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self - Sufficiency
	Most recent self - sufficiency (ED/SS, TOP or RO SS or other resident services grant) grant program reports	Annual Plan: Community Service & Self - Sufficiency
	The most recent Public Housing Drug Elimination Program (PHDEP) semi - annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1.StatementofHousingNeeds

[24CFRPart903.79(a)]

A. HousingNeedsofFamiliesintheJurisdiction/sServedbythePHA

BasedupontheinformationcontainedintheConsolidatedPlan/sapplicabletothejurisdiction,and/or otherdataavailabletothePHA,provideastatementofthehousing needsinthejurisdictionby completingthefollowingtable.Inthe“Overall”Needscolumn,providetheestimatednumberofrenter familiesthathavehousingneeds.Fortheremainingcharacteristics,ratetheimpactofthatfactoronthe housingneedsforeachfamilytype,from1to5,with1being“noimpact”and5being“severeimpact.” UseN/AtoindicatethatnoinformationisavailableuponwhichthePHAcannmakethisassessment.

HousingNeedsofFamiliesintheJurisdiction byFamilyType							
FamilyType	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion
Income<=30% ofAMI	3,381	5	2	2	1	2	3
Income>30%but <=50%ofAMI	1,732	4	2	2	1	2	3
Income>50%but <80%ofAMI	743	3	2	2	1	2	3
Elderly	1,282	5	2	2	5	2	1
Familieswith Disabilities	908(1)	5	2	2	5	2	1
Race:Black	1,924 (2)	5	2	2	1	2	3
Race:Asianand NativeAmerican	1,193 (3)	5	2	2	1	2	3
Ethnicity: Hispanic	516(4)	5	2	2	1	2	3

Notes:

1. Counttakenforthesumofallhomeless sufferingwithdisabilities.Thus, thetotalcountof disabledhouseholdsisprobablygreaterthanthisfigurewhichrepresents thosedisabled households withthegreatestneedforassistedhousing.
2. Projectedas52percent(proportionofracialgroupwithhousingproblems)ofthe1990 population(3,084)projectedforwardatagrowthrateof1.22.
3. Projectedas55percent(proportionofracialgroupwithhousingproblems)ofthe1990 population(1,043)projectedforwardatagrowthrateof2.08.
4. Projectedas34percent(proportionofracialgroupwithhousingproblems)ofthe1990 population(1,243)projectedforwardatagrowthrateof1.22.

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- ☒ Consolidated Plan of the Jurisdiction/s
Indicate year: 2000-2005
- ☒ U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset
- ☐ American Housing Survey data
Indicate year:
- ☒ Other housing market study
Indicate year: Cedar Rapids Rental Survey 1999
- ☐ Other sources: (list and indicate year of information)

B. Housing Needsof FamiliesonthePublicHousingandSection8 Tenant-BasedAssistanceWaitingLists

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA - wide waiting list administered by the PHA.** PHA may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needsof FamiliesontheWaitingList			
Waiting list type: (select one)			
<input checked="" type="checkbox"/> Section 8 tenant-based assistance			
<input type="checkbox"/> Public Housing			
<input type="checkbox"/> Combined Section 8 and Public Housing			
<input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional)			
If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	500	100	1300
Extremely low income <= 30% AMI	373	75	
Very low income (> 30% but <= 50% AMI)	127	25	
Low income (> 50% but < 80% AMI)	0	0	
Families with children	325	65	
Elderly families	18	4	
Families with Disabilities	124	25	
Race: Black	108	22	
Race: Asian/Nat Am	5	1	
Ethnicity: Hispanic	12	2	

Characteristics by Bedroom Size (Public Housing Only)			
1BR	-		
2BR	-		
3BR	-		
4BR	-		
5BR	-		
5+BR	-		
Is the waiting list closed (select one)? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes: How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? <input type="checkbox"/> No <input type="checkbox"/> Yes			

Note: All applicants are entered onto the waiting list. Income is certified at the time the Voucher is issued.

C.Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

The City of Cedar Rapids Housing Services uses the Section 8 program to address the area of housing affordability identified in the Consolidated Plan as having the greatest need, assistance for very low -income renter households. With the potential for over 800 tenant -based Vouchers plus another 366 Vouchers under special purpose programs as well as 48 project -based Certificates, the City of Cedar Rapids Housing Services is in a position to resolve a significant share of the housing affordability problems of the very low -income renter households within the community.

The greatest single problem confronting the City of Cedar Rapids Housing Services during the current fiscal year is that of increasing the lease -up rate. At present, the rate of surrender of Section 8 Vouchers exceeds the rate of leasing. In addition, only about 988 of 1,2356 (80 percent) of the available tenant -based Vouchers are under lease. This low level of leased units is due to a variety of factors. These include:

- Families failing to follow through with the application process,
- Families having either a bad credit history or a bad rental history, and

- Families being unable to amass the money necessary to cover rental and security deposits required by landlords and utility providers.
- Landlords not willing to participate in a government program.

The strategy to be followed by the City of Cedar Rapids Housing Services for resolving this problem involves outreach to landlords throughout the community. Landlord briefings will be done to encourage their participation in the program in an effort to find more alternative apartments and homes for Voucher holders. In addition, CRHS will coordinate with social service providers to assist tenants in completing the application process and in developing the life skills to successfully maintain an independent household.

Follow-up monitoring will be conducted of Voucher holders looking for housing. Recommendations and referrals will be made to assist families in finding affordable housing. Funding has been received through the HOME Program for a security/utility deposit fund for new admissions.

(1) Strategies

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- ☐ Employ effective maintenance and management policies to minimize the number of public housing units off -line
- ☐ Reduce turnover time for vacated public housing units
- ☐ Reduce time to renovate public housing units
- ☐ Seek replacement of public housing units lost to the inventory through mixed financed development
- ☐ Seek replacement of public housing units lost to the inventory through Section 8 replacement housing resources
- ☒ Maintain or increase Section 8 lease -uprates by establishing payment standards that will enable families to rent throughout the jurisdiction
- ☒ Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- ☒ Maintain or increase Section 8 lease -uprates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- ☒ Maintain or increase Section 8 lease -uprates by effectively screening Section 8 applicants to increase owner acceptance of program
- ☒ Participate in the Consolidated Plan development process to ensure coordination with broader community strategies

☐ Other(listbelow)

Strategy2:Increasethenumberofaffordablehousingunitsby:

Selectallthatapply

- ☐ ApplyforadditionalSection8unitsshouldtheybecomeavailable
- ☐ Leverageaffordablehousingresourcesinthecommunitythroughthecreation ofmixed -financehousing
- ☐ PursuehousingresourcesotherthanpublichousingorSection8tenant -based assistance.
- ☒ Other:(listbelow)

[TheMainstreamDisabilityProgramisadministeredtoassisthouseholds sufferingfromadisabilitythatpreventsthemforutilizingthemainstream housingmarket.]

Need:SpecificFamilyTypes:Familiesatorbelow30%ofmedian

Strategy1:Targetavailableassistancetofamiliesatorbelow30%ofAMI

Selectallthatapply

- ☐ ExceedHUDfederaltargetingrequirementsforfamiliesatorbelow30%of AMIinpublichousing
- ☒ ExceedHUDfederaltargetingrequirementsforfamiliesatorbelow30%of AMIintenant -basedSection8assistance
- ☐ Employadmissionspreferencesaimedatfamilieswiththeeconomichardships
- ☐ Adoptrentpoliciesupportandencouragework
- ☐ Other:(listbelow)

Need:SpecificFamily Types:Familiesatorbelow50%ofmedian

Strategy1:Targetavailableassistanceto familiesatorbelow50%ofAMI

Selectallthatapply

- ☐ Employadmissionspreferencesaimedatfamilieswhoareworking
- ☐ Adoptrentpoliciesupportandencouragework
- ☐ Other:(listbelow)

Need:SpecificFamilyTypes:TheElderly

Strategy1: Targetavailableassistancetotheelderly:

Selectallthatapply

- ☐ Seekdesignationofpublichousingfor theelderly
- ☐ Applyforspecial -purposeVoucherstargetedtotheelderly,shouldtheybecome available
- ☒ Other:(listbelow)

[TheCRHSwaitinglistisonlyopentoallapplicants.Incomesarenotverifieduntil theapplicant'snamereachesthetopofthelist.]

Need:SpecificFamilyTypes:FamilieswithDisabilities**Strategy1: TargetavailableassistancetoFamilieswithDisabilities:**

Selectallthatapply

- ☐ Seekdesignationofpublichousingfor familieswithdisabilities
- ☐ Carryoutthomodificationsneededinpublichousingbasedonthesection504 NeedsAssessmentforPublicHousing
- ☐ Applyforspecial -purposeVoucherstargetedtofamilieswithdisabilities, shouldtheybecomeavailable
- ☒ Affirmativelymarkettolocalnon -profitagenciesthatassistfamilieswith disabilities
- ☐ Other:(listbelow)

(TheCRHSiscoordinatingprograminformationwiththeIowaWorkforce DevelopmentCenteronregulationsregardingdisabledworkers.)

Need:SpecificFamilyTypes:Racesorethnicitieswithdisproportionatehousing needs**Strategy1:IncreaseawarenessofPHAresourcesamongfamiliesofracesand ethnicitieswithdisproportionateneeds:**

Selectifapplicable

- ☐ Affirmativelymarkettoraces/ethnicitiesshowntohavedisproportionate housingneeds
- ☐ Other:(listbelow)

Strategy2:Conductactivitiestoaffirmativelyfurtherfairhousing

Selectallthat apply

- ☒ Counsel Section 8 tenants to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- ☒ Market the Section 8 program to owners outside of areas of poverty/minority concentrations
- ☐ Other: (list below)

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- ☒ Funding constraints
- ☒ Staffing constraints
- ☐ Limited availability of sites for assisted housing
- ☒ Extent to which particular housing needs are met by other organizations in the community
- ☒ Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- ☒ Influence of the housing market on PHA programs
- ☒ Community priorities regarding housing assistance
- ☐ Results of consultation with local or state government
- ☒ Results of consultation with residents and the Resident Advisory Board
- ☒ Results of consultation with advocacy groups
- [Referrals from the Department of Human Services, Linn County, Iowa.]
- ☐ Other: (list below)

2. Statement of Financial Resources

[24CFR Part 903.79(b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant-based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing support services, Section 8 tenant-based assistance, Section 8 support services or other.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2000 grants)		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$4,369,979 (Vouchers)	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)		
g) Resident Opportunity and Self-Sufficiency Grants [Funds coordinator]	\$ 43,950	
h) Community Development Block Grant	\$0	
i) HOME	\$120,000	TBRA (Security/utility deposits)
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
4. Non-federal sources (list below)		
Total resources	\$4,533,929	

3.PHAPoliciesGoverningEligibility, Selection,andAdmissions

[24CFRPart903.79©]

A. PublicHousing

Exemptions:PHAsthatdonotadministerpublichousingarenotrequiredto completesubcomponent 3A.

(1)Eligibility

a. WhendoesthePHAverifyeligibilityforadmissiontopublichousing?(selectall thatapply)

- ☐ Whenfamiliesarewithinacertainnumberofbeingofferedaunit:(state number)
- ☐ Whenfamiliesarewithinacertaintimeofbeingofferedaunit:(statetime)
- ☐ Other:(describ e)

b.Whichnon -income(screening)factorsdoesthePHAusetoestablisheligibilityfor admissiontopublichousing(selectallthatapply)?

- ☐ CriminalorDrug -relatedactivity
- ☐ Rentalhistory
- ☐ Housekeeping
- ☐ Other(describe)

c. ☐ Yes ☐ No:DoesthePHArequestcriminalrecordsfromlocallaw enforcementagenciesforscreeningpurposes?

d. ☐ Yes ☐ No:DoesthePHArequest criminalrecordsfromStatelaw enforcementagenciesforscreeningpurposes?

e. ☐ Yes ☐ No:DoesthePHAaccessFBIcriminalrecordsfromtheFBIfor screeningpurposes?(eitherdirectlyorthroughanNCIC - authorizedsource)

(2)WaitingListOrganization

a. WhichmethodsdoesthePHAplantousetoorganizeitpublichousingwaiting list(selectallthatapply)

- ☐ Community-widelist
- ☐ Sub-jurisdictionallists
- ☐ Site-basedwaitinglists
- ☐ Other(describe)

b.Wheremayinterestedpersonsapplyforadmissiontopublichousing?

- ☐ PHA main administrative office
- ☐ PHA development site management office
- ☐ Other (list below)

c. If the PHA plan to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year?

2. ☐ Yes ☐ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously HUD-approved site-based waiting list plan)?

If yes, how many lists?

3. ☐ Yes ☐ No: May families be on more than one list simultaneously? If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- ☐ PHA main administrative office
- ☐ All PHA development management offices
- ☐ Management offices at developments with site-based waiting lists
- ☐ At the development to which they would like to apply
- ☐ Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of a list removed from the waiting list? (select one)

- ☐ One
- ☐ Two
- ☐ Three or More

b. ☐ Yes ☐ No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

☐ Yes ☐ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of a new admission to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfer take precedence over new admissions? (list below)

- ☐ Emergencies
- ☐ Overhoused
- ☐ Underhoused
- ☐ Medical justification
- ☐ Administrative reasons determined by the PHA (e.g., to permit modernization work)
- ☐ Resident choice: (state circumstances below)
- ☐ Other: (list below)

c. Preferences

1. ☐ Yes ☐ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection (5) Occupancy)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

- ☐ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ☐ Victims of domestic violence
- ☐ Substandard housing
- ☐ Homelessness
- ☐ High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)

- ☐ Those previously enrolled in educational, training, or upward mobility programs
 - ☐ Victims of reprisals or hate crimes
 - ☐ Other preference(s) (list below)
3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a points system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Date and Time

Former Federal preferences:

Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
 Victims of domestic violence
 Substandard housing
 Homelessness
 High rent burden

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Household that contributes to meeting income goals (broad range of incomes)
- ☐ Household that contributes to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☐ Other preference(s) (list below)

4. Relationship of preference to income targeting requirements:

- ☐ The PHA applies preferences within income tiers
- ☐ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- ☐ The PHA -resident lease
- ☐ The PHA's Admissions and (Continued) Occupancy policy
- ☐ PHA briefing seminars or written materials
- ☐ Other source (list)

b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- ☐ At an annual reexamination and lease renewal
- ☐ Anytime family composition changes
- ☐ At family request for revision
- ☐ Other (list)

(6) Deconcentration and Income Mixing

a. ☐ Yes ☐ No: Did the PHA's analysis of its family (general occupancy) development(s) to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. ☐ Yes ☐ No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

- ☐ Adoption of site -based waiting lists
If selected, list targeted developments below:
- ☐ Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:
- ☐ Employing new admission preferences at targeted developments
If selected, list targeted developments below:
- ☐ Other (list policies and developments targeted below)

d. ☐ Yes ☐ No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

- ☐ Additional affirmative marketing
- ☐ Actions to improve the marketability of certain developments
- ☐ Adoption or adjustment of ceiling rents for certain developments
- ☐ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing
- ☐ Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher -income families? (select all that apply)

- ☐ Not applicable: results of analysis did not indicate a need for such efforts
- ☐ List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower -income families? (select all that apply)

- ☐ Not applicable: results of analysis did not indicate a need for such efforts
- ☐ List (any applicable) developments below:

B. Section 8

Exemptions: PHAs that do not administer Section 8 are not required to complete sub -component 3B. Unless otherwise specified, all questions in this section apply only to the tenant -based Section 8 assistance program (Vouchers, and until completely merged into the Voucher program, Certificates).

(1) Eligibility

a. What is the extent of screening conducted by the PHA? (select all that apply)

- ☒ Criminal or drug -related activity only to the extent required by law or regulation
- ☐ Criminal and drug -related activity, more extensively than required by law or regulation
- ☐ More general screening than criminal and drug -related activity (list factors below)
- ☒ Other (list below)

(Computer generated list of tenants previously on Section 8 throughout the United States is checked.)

b. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c. ☐ Yes ☒ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. ☐ Yes ☒ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC - authorized source)

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)

- ☒ Criminal or drug -related activity
- ☒ Other (describe below)

[The City of Cedar Rapids Housing Service screens prospective program participants in terms of their rental history in previous Section 8 programs if information is available. This information is released to prospective landlords upon request.]

(2)WaitingListOrganization

a. With which of the following program waiting lists is the Section 8 tenant assistance waiting list merged? (select all that apply) -based

- ☒ None
- ☐ Federal public housing
- ☐ Federal moderate rehabilitation
- ☐ Federal project -based Certificate program
- ☐ Other federal or local program (list below)

b. Where may interested persons apply for admission to Section 8 tenant assistance? (select all that apply) -based

- ☒ PHA main administrative office
- ☒ Other (list below)

(Applications are provided to Department of Human Services, Homeless Shelters, and various other agencies, including faith-based organizations. Interested persons may also telephone the office to have an application mailed to them.)

(3)SearchTime

a. ☒ Yes ☐ No: Does the PHA give extensions on standard 60 -day period to search for a unit?

If yes, state circumstances below:

[Voucher holders are automatically given 120 days to look for housing. Extensions beyond 120 days are given in extenuating circumstances.]

(4)AdmissionsPreferences

a. Income targeting

☐ Yes ☒ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the Section 8 program to families at or below 30% of median area income?

[CRHS verifies household income at the time a household's name reaches the top of the waiting list for admission to the program. Applicants with incomes at or below 30 percent are given priority. If there are no longer any applicants with incomes below 30 percent, applicants with incomes between 30 percent and 50 percent will be awarded a

voucher. Exception to this are referrals from the Department of Human Services for the Family Unification Program. All referrals will be processed under 50 percent.]

b. Preferences

1. ☒ Yes ☐ No: Has the PHA established preferences for admission to Section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent (5) Special purpose Section 8 assistance programs)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- ☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

[Households displaced by government action, such as placarding or demolishing substandard housing, or by disaster are given preference on the waiting list.]

- ☐ Victims of domestic violence
☐ Substandard housing
☐ Homelessness
☐ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
☐ Veterans and veterans' families
☐ Residents who live and/or work in your jurisdiction
☐ Those enrolled currently in educational, training, or upward mobility programs
☐ Households that contribute to meeting income goals (broad range of incomes)
☐ Households that contribute to meeting income requirements (targeting)
☐ Those previously enrolled in educational, training, or upward mobility programs
☐ Victims of reprisals or hate crimes
☒ Other preference(s) (list below)

(Mainstream Disability Program, Certificate Project-Based Program at Edgewood Apartments, the Family Unification Program, and applicants with incomes below 30 percent.)

3.If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a points system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

1 Date and Time

Former Federal preferences

1 Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

[Displaced by government action.]

1 (Mainstream Disability Program, Certificate Project -Based Program at Edgewood Apartments, the Family Unification Program, and applicants with incomes below 30 percent.)

Victims of domestic violence

Substandard housing

Homelessness

High rent burden

Other preferences (select all that apply)

- ☐ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in your jurisdiction
- ☐ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Household that contribute to meeting income goals (broad range of incomes)
- ☐ Household that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)

[Disabled household suitable for the Mainstream Disability Program. Homeless families suitable for the Family Unification Program. Eligible applicants for the project -based Certificate program.]

4. Among applicants on the waiting list with the equal preference status, how are applicants selected? (select one)

☒ Date and time of application

☐ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (select one)

- ☐ This preference has previously been reviewed and approved by HUD
☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- ☐ The PHA applies preferences within income tiers
☒ Not applicable: the pool of applicant families ensure that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

a. In which documents or other reference materials are the policies governing eligibility, selection, and admission to any special purpose Section 8 program administered by the PHA contained? (select all that apply)

- ☒ The Section 8 Administrative Plan

[The Family Self-Sufficiency Program Action Plan is included in the Section 8 Administrative Plan.]

- ☐ Briefing sessions and written materials
☐ Other (list below)

b. How does the PHA announce the availability of any special purpose Section 8 programs to the public?

- ☒ Through published notices
☒ Other (list below)

[Meetings are held with interested parties.]

4.PHARentDeterminationPolicies

[24CFRPart903.79(d)]

A. PublicHousing

Exemptions: PHA that do not administer public housing are not required to complete sub 4A. -component

(1) IncomeBasedRentPolicies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

☐ The PHA will not employ any discretionary rent -setting policies for income based rent in public housing. Income -based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub -component (2))

---or---

☐ The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0
☐ \$1-\$25
☐ \$26-\$50

2. ☐ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below :

c. Rents set at less than 30% than adjusted income

1. ☐ Yes ☐ No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2.If yesto above, list the amounts or percentages charged and the circumstances under which these will be used below:

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

- ☐ For the earned income of a previously unemployed household member
- ☐ For increases in earned income
- ☐ Fixed amount (other than general rent -setting policy)

If yes, state amount/s and circumstances below:

- ☐ Fixed percentage (other than general rent -setting policy)

If yes, state percentage/s and circumstances below:

- ☐ For household heads
- ☐ For other family members
- ☐ For transportation expenses
- ☐ For the non -reimbursed medical expenses of non -disabled or non -elderly families
- ☐ Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

- ☐ Yes for all developments
- ☐ Yes but only for some developments
- ☐ No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- ☐ For all developments
- ☐ For all general occupancy developments (not elderly or disabled or elderly only)
- ☐ For specified general occupancy developments
- ☐ For certain parts of developments; e.g., the high -rise portion
- ☐ For certain size units; e.g., larger bedroom sizes
- ☐ Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- ☐ Market comparability study
- ☐ Fair market rents (FMR)
- ☐ 95th percentile rents
- ☐ 75 percent of operating costs
- ☐ 100 percent of operating costs for general occupancy (family) developments
- ☐ Operating costs plus debt service
- ☐ The "rental value" of the unit
- ☐ Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

- ☐ Never
- ☐ At family option
- ☐ Anytime the family experiences an income increase
- ☐ Anytime a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) _____
- ☐ Other (list below)

g. ☐ Yes ☐ No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

19. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

- ☐ The Section 8 rent reasonableness study of comparable housing
- ☐ Survey of rents listed in local newspaper
- ☐ Survey of similar unassisted units in the neighborhood
- ☐ Other (list/describe below)

B. Section 8 Tenant -Based Assistance

Exemptions: PHAs that do not administer Section 8 tenant -based assistance are not required to complete sub -component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant -based Section 8 assistance program (Vouchers, and until completely merged into the Voucher program, Certificates).**

(1) Payment Standards

Describe the Voucher payment standards and policies .

a. What is the PHA's payment standard? (select the category that best describes your standard)

- ☐ At or above 90% but below 100% of FMR
- ☐ 100% of FMR
- ☒ Above 100% but at or below 110% of FMR
- ☐ Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- ☐ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area
- ☐ The PHA has chosen to serve additional families by lowering the payment standard
- ☐ Reflects market or submarket
- ☐ Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- ☒ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- ☒ Reflects market or submarket
- ☒ To increase housing options for families
- ☐ Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- ☒ Annually
- ☐ Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- ☒ Success rates of assisted families
- ☒ Rent burdens of assisted families
- ☐ Other (list below)

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0
- ☒ \$1-\$25
- ☐ \$26-\$50

b. ☐ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

(Any family unable to pay the Minimum Rent of \$25.00 due to extenuating circumstances listed below may request in writing from the HA a waiver on this. Extenuating circumstances may include the following:

- 19. Hospitalization
- 20. Decrease of income
- 21. Extended illness
- 22. Other circumstances as determined by HA

Family must request waiver in writing and written verification must be obtained to determine circumstance. If HA determines waiver is justified, the HA will adjust the family's rent share and pay the additional HAP amount to the landlord effective the month waiver was requested.

5. Operations and Management

[24CFR Part 903.79(e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

Describe the PHA's management structure and organization.

(select one)

- ☐ An organization chart showing the PHA's management structure and organization is attached.
- ☒ A brief description of the management structure and organization of the PHA follows:

[The City of Cedar Rapids Housing Services is part of the local government of Cedar Rapids, Iowa. The local government is administered through a Mayor and City Council organized on a commissioners system. The Mayor of the City is the Commissioner who oversees issues of housing. As such, the City of Cedar Rapids Department of Building, Housing and Zoning (Housing Services office) reports to the Mayor of the City.

B. HUD Programs Under PHA Management

List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing	NA	
Section 8 Vouchers	819	200
Section 8 Certificates		
Section 8 Mod Rehab	NA	
Special Purpose Section 8 Certificates/Vouchers:		
Family Unification	200	30
Mainstream Disability	100	24
Housing Preservation	6	1
Edgewood Apartments	48	2
Public Housing Drug Elimination Program (PHDEP)	NA	
Other Federal Programs (list individually)	NA	

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

(1) Public Housing Maintenance and Management: (list below)

(2) Section 8 Management: (list below)

Section 8 Administrative Plan, City of Cedar Rapids

6. PHA Grievance Procedures

[24CFR Part 903.79 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6.
Section 8 - Only PHAs are exempt from sub -component 6A.

A. Public Housing

1. ☐ Yes ☐ No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA offices should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

- ☐ PHA main administrative office
☐ PHA development management offices
☐ Other (list below)

B. Section 8 Tenant -Based Assistance

1. ☒ Yes ☐ No: Has the PHA established informal review procedures for applicants to the Section 8 tenant -based assistance program and informal hearing procedures for families assisted by the Section 8 tenant -based assistance program in addition to federal requirements found at 24CFR 982?

If yes, list additions to federal requirements below:

[CRHS has outlined the review procedures in their Administrative Plan.]

2. Which PHA offices should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- ☒ PHA main administrative office
☐ Other (list below)

7. Capital Improvement Needs

[24CFR Part 903.79(g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD Form 52837.

Select one:

☐ The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

☐ The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert there)

(2) Optional 5 -Year Action Plan

Agencies are encouraged to include a 5 -Year Action Plan covering capital work items. This statement can be completed by using the 5 Year Action Plan table provided in the table library at the end of the PHA Plan template **OR** by completing and attaching a properly updated HUD Form 52834.

a. ☐ Yes ☐ No: Is the PHA providing an optional 5 -Year Action Plan for the Capital Fund? (if no, skip to sub-component 7B)

b. If yes to question a, select one:

☐ The Capital Fund Program 5 -Year Action Plan is provided as an attachment to the PHA Plan at Attachment (state name)

-or-

☐ The Capital Fund Program 5 -Year Action Plan is provided below: (if selected, copy the CFP Optional 5 Year Action Plan from the Table Library and insert here)

B.HOPEVI and Public Housing Development and Replacement Activities (Non -Capital Fund)

Applicability of sub -component 7B: All PHAs administering public housing. Identify any approved HOPEVI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

- ☐ Yes ☐ No: a) Has the PHA received a HOPEVI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)
- b) Status of HOPEVI revitalization grant (complete one set of questions for each grant)

1. Development name:

2. Development (project) number:

3. Status of grant: (select the statement that best describes the current status)

- ☐ Revitalization Plan under development
- ☐ Revitalization Plan submitted, pending approval
- ☐ Revitalization Plan approved
- ☐ Activities pursuant to an approved Revitalization Plan underway

- ☐ Yes ☐ No: c) Does the PHA plan to apply for a HOPEVI Revitalization grant in the Plan year?
- If yes, list development name/s below:

- ☐ Yes ☐ No: d) Will the PHA be engaging in any mixed -financed development activities for public housing in the Plan year?
- If yes, list developments or activities below:

- ☐ Yes ☐ No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?
- If yes, list developments or activities below:

8. Demolition and Disposition

[24CFR Part 903.79(h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☐ No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. Activity type: Demolition <input type="checkbox"/> Disposition <input type="checkbox"/>	
3. Application status (select one) Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application <input type="checkbox"/>	
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)	
5. Number of units affected:	
6. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development	
7. Timeline for activity: a. Actual or projected start date of activity: b. Projected end date of activity:	

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities

[24CFR Part 903.79(i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☐ No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

Designation of Public Housing Activity Description	
1a. Development name:	
1b. Development (project) number:	
2. Designation type:	
Occupancy by only the elderly	<input type="checkbox"/>
Occupancy by families with disabilities	<input type="checkbox"/>
Occupancy by only elderly families and families with disabilities	<input type="checkbox"/>
3. Application status (select one)	
Approved; included in the PHA's Designation Plan	<input type="checkbox"/>
Submitted, pending approval	<input type="checkbox"/>
Planned application	<input type="checkbox"/>
4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)	
5. If approved, will this designation constitute a (select one)	
<input type="checkbox"/> New Designation Plan	
<input type="checkbox"/> Revision of a previously -approved Designation Plan?	
6. Number of units affected:	
7. Coverage of action (select one)	
<input type="checkbox"/> Part of the development	

☐ Total development

10. Conversion of Public Housing to Tenant -Based Assistance

[24CFR Part 903.79(j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessment of Reasonable Revitalization Pursuant to Section 202 of the HUD FY1996 HUD Appropriations Act

1. ☐ Yes ☐ No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete as streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If "yes", skip to component 11. If "No", complete the Activity Description table below.

Conversion of Public Housing Activity Description
1a. Development name:
1b. Development (project) number:
2. What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)
4. Status of Conversion Plan (select the statement that best describes the current status) <input type="checkbox"/> Conversion Plan in development <input type="checkbox"/> Conversion Plan submitted to HUD on: (DD/MM/YYYY) <input type="checkbox"/> Conversion Plan approved by HUD on: (DD/MM/YYYY) <input type="checkbox"/> Activities pursuant to HUD - approved Conversion Plan underway
5. Description of how requirements of Section 202 are being satisfied by means other

than conversion (select one)

- ☐ Units addressed in a pending or approved demolition application (date submitted or approved: _____)
- ☐ Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: _____)
- ☐ Units addressed in a pending or approved HOPE VI revitalization plan (date submitted or approved: _____)
- ☐ Requirements no longer applicable: vacancy rates are less than 10 percent
- ☐ Requirements no longer applicable: site now has less than 300 units
- ☐ Other: (describe below)

B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937

C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937

11.HomeownershipProgramsAdministeredbythePHA

[24CFRPart903.79(k)]

A.PublicHousing

ExemptionsfromComponent11A:Section8onlyPHAsarenotrequiredtocomplete11A.

1. ☐ Yes ☐ No: DoesthePHAadministeranyhomeownershipprograms administeredbythePHAunderanapprovedsection5(h) homeownershipprogram(42U.S.C.1437c(h)),oranapproved HOPE Iprogram(42U.S.C.1437aaa) orhasthePHAappliedor plantoapplytoadministeranyhomeownershipprogramsunder section5(h),theHOPEIprogram,orsection32oftheU.S. HousingActof1937(42U.S.C.1437z -4).(If“No”,skipto component11B;if“yes”,completeoneactivitydescriptionfor eachapplicableprogram/plan,unlesseligibletocompletea streamlinedsubmissiondueto **smallPHA** or **highperforming PHA**status.PHAscompletingstreamlinedsubmissionsmay skiptocomponent11B.)

2.ActivityDescription

- ☐ Yes ☐ No: HasthePHAprovidedallrequiredactivitydescription informationforthiscomponentinthe **optional**PublicHousing AssetManagementTable?(If“yes”,skiptocomponent12.If “No”,completetheActivityDescriptiontablebelow.)

PublicHousingHomeownershipActivityDescription (Completeoneforeachdevelopmentaffected)	
1a.Developmentname: 1b.Development(project)number:	
2.FederalProgramauthority: <input type="checkbox"/> HOPEI <input type="checkbox"/> 5(h) <input type="checkbox"/> TurnkeyIII <input type="checkbox"/> Section32oftheUSHAof1937(effective10/1/99)	
3.Applicationstatus:(selectone) <input type="checkbox"/> Approved;includedinthePHA’sHomeownershipPlan/Program <input type="checkbox"/> Submitted,pendingapproval <input type="checkbox"/> Plannedapplication	
4.DateHomeownershipPlan/Programapproved,submitted,orplannedforsubmission: (DD/MM/YYYY)	
5. Numberofunitsaffected: 6.Coverageofaction:(selectone) <input type="checkbox"/> Partofth edevelopment <input type="checkbox"/> Totaldevelopment	

B. Section 8 Tenant Based Assistance

1. ☐ Yes ☒ No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982? (If "No", skip to component 12; if "yes", describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description:

a. Size of Program

- ☐ Yes ☐ No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

- ☐ 25 or fewer participants
☐ 26- 50 participants
☐ 51 to 100 participants
☐ more than 100 participants

b. PHA -established eligibility criteria

- ☐ Yes ☐ No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?
If yes, list criteria below:

12. PHA Community Service and Self -sufficiency Programs

[24CFR Part 903.79(l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component. Section 8 - Only PHAs are not required to complete sub -component C.

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

☒ Yes ☐ No: Has the PHA entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

[City of Cedar Rapids Housing Services coordinates with Linn County Department of Human Services for the implementation of its Family Unification Program.]

If yes, what was the date that agreement was signed? **March 18, 1998**

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- ☒ Client referrals
- ☐ Information sharing regarding mutual clients (for rent determinations and otherwise)
- ☐ Coordinate the provision of specific social and self -sufficiency services and programs to eligible families
- ☐ Jointly administer programs
- ☐ Partner to administer a HUD Welfare -to-Work Voucher program
- ☐ Joint administration of other demonstration program
- ☐ Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- ☐ Public housing rent determination policies
- ☐ Public housing admissions policies
- ☐ Section 8 admissions policies
- ☐ Preference in admission to Section 8 for certain public housing families
- ☐ Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- ☐ Preference/eligibility for public housing homeownership option participation
- ☐ Preference/eligibility for Section 8 homeownership option participation
- ☐ Other policies (list below)

b. Economic and Social self-sufficiency programs

- ☒ Yes ☐ No: Does the PHA coordinate, promote or provide any program to enhance the economic and social self-sufficiency of residents? (If "yes", complete the following table; if "no" skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office/ PHA main office/ other provider name)	Eligibility (public housing or Section 8 participants or both)
Family Unification Program	200	Referral	Dept. Human Services	Section 8

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2001 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8	112	58(1/09/02)

- b. ☐ Yes ☒ No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent Action Plan address the steps the PHA plan to take to achieve at least the minimum program size?

If no, list steps the PHA will take below:

19. Letters are being sent to all new participants
20. Letters are being sent to current participants at renewal of their lease
21. Participants are asked to fill out form stating if they are interested or not in the program
22. If interested, follow up is done through information mailed and telephone calls.

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)

- ☐ Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
- ☐ Informing residents of new policy on admission and reexamination
- ☐ Actively notifying residents of new policy at times in addition to admission and reexamination.
- ☐ Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
- ☐ Establishing a protocol for exchange of information with all appropriate TANF agencies
- ☐ Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

13.PHASafetyandCrimePreventionMeasures

[24CFRPart903.79(m)]

ExemptionsfromComponent13:HighperformingandsmallPHAsnotparticipatinginPHDEPanda
Section8OnlyPHAsmayskipcomponent15.HighPerformingandsmallPHAsthatare
participatinginPHDEPandaaresubmittingaPHDEP PlanwiththisPHAPlanmayskipsub
componentD.

A.Needformeasurestoensurethesafetyofpublichousingresidents

1.Describetheneedformeasurestoensurethesafetyofpublichousingresidents

(selectallthatapply)

- ☐ Highincidenceofviolentand/or drug -relatedcrimeinsomeorallofthePHA's developments
- ☐ Highincidenceofviolentand/or drug -relatedcrimeintheareassurroundingor adjacenttothePHA'sdevelopments
- ☐ Residentsfe arfulfortheirsafetyand/orthesafetyoftheirchildren
- ☐ Observedlower -levelcrime,vandalismand/orgraffiti
- ☐ Peopleonwaitinglistunwillingtomoveintooneormoredevelopmentsdueto perceivedand/oractuallevelsofviolentand/or drug -relatedcrime
- ☐ Other(describbelow)

2.WhatinformationordatadidthePHAusedtodeterminetheneedforPHAactions toimprovesafetyofresidents(selectallthatapply).

- ☐ Safetyandsecu ritysurveyofresidents
- ☐ Analysisofcrimestatisticsovertimeforcrimescommitted“inandaround” publichousingauthority
- ☐ Analysisofcosttrendsovertimeforrepaiofvandalismandremovalofgraffiti
- ☐ Residentreports
- ☐ PHAemployeereports
- ☐ Policereports
- ☐ Demonstrable,quantifiablesuccesswithpreviousorongoinganticrime/anti drugprograms
- ☐ Other(describbelow)

3.Whichd evelopmentsaremostaffected?(listbelow)

B. Crime and Drug Prevention activities the PHA has undertaken or plan to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plan to undertake: (select all that apply)

- ☐ Contracting with outside and/or resident organizations for the provision of crime-and/or drug -prevention activities
- ☐ Crime Prevention Through Environmental Design
- ☐ Activities targeted to at-risk youth, adults, or seniors
- ☐ Volunteer Resident Patrol/Block Watchers Program
- ☐ Other (describe below)

2. Which developments are most affected? (list below)

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- ☐ Police involvement in development, implementation, and/or ongoing evaluation of drug -elimination plan
- ☐ Police provide crime data to housing authority staff for analysis and action
- ☐ Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- ☐ Police regularly testify in and otherwise support eviction cases
- ☐ Police regularly meet with the PHA management and residents
- ☐ Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- ☐ Other activities (list below)

2. Which developments are most affected? (list below)

D. Additional information as required by PHDEP/PHDEP Plan

PHA eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- ☐ Yes ☐ No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?
- ☐ Yes ☐ No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?
- ☐ Yes ☐ No: This PHDEP Plan is an Attachment. (Attachment Filename: ____)

14.RESERVEDFORPETPOLICY

[24CFRPart903.79(n)]

15.CivilRightsCertifications

[24CFRPart903.79(o)]

CivilrightscertificationsareincludedinthePHAPlanCertificationsofCompliance
withthePHAPlansandRelatedRegulations.

16.Fiscal Audit

[24CFR Part 903.79(p)]

1. ☒ Yes ☐ No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?
(If no, skip to component 17.)
2. ☒ Yes ☐ No: Was the most recent fiscal audit submitted to HUD?
3. ☐ Yes ☒ No: Were there any findings as the result of that audit?
4. ☐ Yes ☐ No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain? _____
5. ☐ Yes ☐ No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?

17.PHA Asset Management

[24CFR Part 903.79(q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component.
High performing and small PHAs are not required to complete this component.

1. ☐ Yes ☐ No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?

23. What types of asset management activities will the PHA undertake? (select all that apply)

- ☐ Not applicable
☐ Private management
☐ Development-based accounting
☐ Comprehensive stock assessment
☐ Other: (list below)

3. ☐ Yes ☐ No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24CFR Part 903.79(r)]

A. Resident Advisory Board Recommendations

1. ☒ Yes ☐ No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

☐ Attached at Attachment (Filename) [Comments.doc]

☒ Provided below:

Written Comments from January: 25, 2002 meeting:

1. Question – Asked about regulation requiring Resident on governing board.
RESPONSE – Stated HA is working with the Legal Department and gathering information from other cities on process to establish new governing board.
2. Question – Asked about the number of FSS contracts.
RESPONSE – Stated HA will focus on getting 42 additional contracts.

Verbal comments received at Public Hearing on April 3, 2002:

Question – Do single parents qualify?

RESPONSE – Yes, anyone can apply and eligibility is determined by income.

Question – Do we work with Habitat for Humanity?

RESPONSE – It is a different program – home ownership vs. rental.

Are our inspection standards too high and can the tenants do the work?

RESPONSE – Tenants can do the work if the landlord agrees to it. In Cedar Rapids all properties must meet the rental inspection code which is similar to our inspections.

3. In what manner did the PHA address those comments? (select all that apply)

- ☒ Considered comments, but determined that no changes to the PHA Plan were necessary.
- ☐ The PHA changed portions of the PHA Plan in response to comments. List changes below:
- ☒ Other: (list below)

[All responses are included in this Plan.]

B. Description of Election process for Residents on the PHA Board

1. ☐ Yes ☐ No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2. ☐ Yes ☐ No: Was there a resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

[The CRHS is a branch of local government. The City Council of the City of Cedar Rapids serves as the Board of Directors for the CRHS. No residents of CRHS assisted units sit on the City Council. However, the CRHS does have a Resident Advisory Board and is in the process of creating a new governing board with a Resident.]

3. Description of Resident Election Process

a. Nomination of candidates for place on the ballot: (select all that apply)

- ☐ Candidates were nominated by resident and assisted family organizations
- ☐ Candidates could be nominated by any adult recipient of PHA assistance
- ☒ Self-nomination: Candidates registered with the PHA and requested a place on ballot
- ☐ Other: (describe)

b. Eligible candidates: (select one)

- ☐ Any recipient of PHA assistance
- ☐ Any head of household receiving PHA assistance
- ☐ Any adult recipient of PHA assistance
- ☐ Any adult member of a resident or assisted family organization
- ☒ Other (list)

[Residents admitted to the Resident Advisory Board must be named on the lease for the assisted unit, must be at least 18 years of age, must be a participant

in program for at least one year, and must be in good standing with the City of Cedar Rapids Housing Services.]

c. Eligible voters: (select all that apply)

- ☐ All adult recipients of PHA assistance (public housing and Section 8 tenant based assistance) -
- ☐ Representatives of all PHA resident and assisted family organizations
- ☒ Other (list)

[Admission to the Resident Advisory is granted to all eligible volunteers, but limited to 15 volunteers.]

C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary).

1. Consolidated Plan jurisdiction: (provide name here)

[Consolidated Plan, Five - Year Strategy: July 1, 2000 – June 30, 2005, City of Cedar Rapids, Iowa]

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)

- ☒ The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.
- ☒ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- ☒ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
- ☒ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

☐ Other: (list below)

3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

[The Consolidated Plan finds that very low -income renter households are the largest single population among those with housing need. The Consolidated Plan also finds that the stock of housing in Cedar Rapids is adequate in size and quantity to meet the needs of the population. This means that the housing affordability

problems of the community stem from the presence of poor households unable to afford housing at any price. In these market conditions, Section 8 rental assistance is the best means to solve the housing affordability problems of the very low income renter households.

D. Other Information Required by HUD

Use this section to provide any additional information requested by HUD.

19. Definition of “Substantial Deviation” and “Significant Amendment or Modification”.

- A. Changes to rent or admission policies or organization of waiting.
- B. Implementation of a Homeownership Program.
- C. Any changes to Administrative Plan except ones mandated by HUD.

Attachments

Use this section to provide any additional attachments referenced in the Plans.

A. Administrative Plan

Attached as file “IA0024a1.doc”.

B. Progress Report on Five Year Plan

We have increased our leaseup rate by 10%. We are at 80%, with a total of 988 under lease as of December 1, 2001.

We have in our office ads from a local newspaper and a book that is distributed to various stores listing units for rent. We provide copies to all Voucher Holders looking for housing. We are pulling twice as many people from the waiting lists since the response from voucher holders has been poor. We have hired a team to do some voucher assistance – weekly telephone calls, referral of vacant units, referral to agencies for support, and transportation to look at housing.

The current Resident Advisory Board published a newsletter to program participants regarding their existence. Several participants expressed an interest to participate, but never followed through. Other methods will be used to get interested participation.

The FSS program has increased its marketing efforts by contacting all new admissions and prior participants at renewal to distribute more information to them on the program. Participants are asked to sign a statement indicating if interested or not. Several participants are now inquiring into the program. There are 58 families under Contract as of January 1, 2002.

C. Membership of the Resident Advisory Board

Deb Woodward, Chair	Randy DeBow
Elizabeth Pardee -Rose	Debbie Petre
Jacquelyn Morton	Betsy Walsh
Barbara Dighton	Diana Anderson
Sandra Carey	Stephanie Warren
Abdulkadir	Angela Bullock
Clinton Brown	Lillie Wyldes
Margaret Reed	Tim Keller
RyAnne Coats	Gerald Showalter
Lynne Lillis	Myrtle Hart

ACTION PLAN FOR THE CITY OF CEDAR RAPIDS, IOWA
FAMILY SELF-SUFFICIENCY PROGRAM
ADMINISTERED BY THE SECTION 8 LEASED HOUSING PROGRAM

DATED: APRIL 4, 1998

INTRODUCTION

The City of Cedar Rapids, Iowa Leased Housing Authority (herein referred to as the "LHA") has been authorized to develop and administer a Family Self-Sufficiency (FSS) Program, pursuant to PART 984 CFR, as part of their FY93 funding allocation for 20 rental certificates, and FY97 Family Unification Program allocation for 100 rental Certificates. The LHA has been authorized to administer a Section 8 Certificate/Voucher Program by the U.S. Housing Act of 1937 (and implemented by *PARTS 882 and 887 of 24 CFR*).

PURPOSE OF THE FSS PROGRAM

"The purpose of the FSS program is to promote the development of local strategies to coordinate the use of public and Indian housing assistance and housing assistance under the Section 8 rental certificate and rental voucher programs with public and private resources, to enable families eligible to receive assistance under these programs to achieve economic independence and self sufficiency." (*Section 984.101 (a)*)

FSS PROGRAM OBJECTIVES:

The objectives of the FSS Program are to reduce the dependency of Section 8 tenant participants on welfare and other public assistance programs and enhance economic independence through community coordinated efforts including: high school diploma and higher education programs, job training, employment opportunities, personal social and life skill training, child care programs, personal financial management, counseling and related social service assistance.

DEFINITIONS:

Definitions as used in this Plan are outlined in PART 984.103 and PART 882 and 887 of 24 CFR. A copy is attached as Appendix A.

Note: FSS family, family participant, FSS participant are used interchangeably throughout the text.

FSS PROGRAM ADMINISTRATION AND MANAGEMENT

Project Coordinating Committee: The LHA has established a Project Coordinating Committee (PCC) as required in PART 984.202 of CFR. The PCC will assist the LHA in securing commitments from public and private resources to implement the FSS program. The PCC will serve as a governing body and provide direction in FSS program related policies and procedures, including the adoption of the Action Plan and subsequent amendments, as necessary. Policies

include, but are not limited to the following.

- ◆ Determination of suitable employment for FSS families
- ◆ Consequences of noncompliance with FSS Contract
- ◆ FSS Contract Extensions
- ◆ Unavailability of supportive services
- ◆ FSS Contract Modifications
- ◆ FSS Contract Completion
- ◆ FSS Contract Termination (for program noncompliance)
- ◆ Option to terminate Section 8 Housing and supportive Services assistance
- ◆ Transitional supportive service assistance
- ◆ FSS escrow accounts
- ◆ Section 8 residency and portability requirements relating to FSS programs
- ◆ Programs/projects to enhance family participation

PCC Membership: The PCC is comprised of a broad representation of community public and private organizations. Members include FSS participants and representatives from the LHA, Cornerstone, Four Oaks, IIACAP, AmeriCorps, JFPA/ Promise Jobs, Iowa Department of Human Services, Abbe Center for Community Mental Health, Rockwell Collins and Family Resource Center Patch Office.

Contract for Administration: There will be no Contract for Administration of the FSS

program. The FSS Program will be administered by the LHA. .

2

Family Self-Sufficiency Activities and Supportive Services/Methods for Identification of Family Support Needs: The LHA's Housing and Family Specialist shall provide FSS family participants with the following services based on their individual needs and stated goals.

- ◆ **Assessment and Planning:** Following completion of the Family Self-Sufficiency Assessment, each head of the family will complete an Individual Training and Services Plan, resources and services to be utilized, and interim and final goals to complete the plan.
- ◆ **Individual Counseling:** Each family will meet with the Housing and Family Specialist, who is trained to assist the family in assessing their strengths and needs, to develop a plan to accomplish their goals.
- ◆ **The Housing and Family Specialist will make referrals to programs and services offered by community agencies, as appropriate to family's strengths, abilities, and needs. Financial Consultation:** The Department of Human Services (DHS) Income Maintenance Workers have access to information regarding financial resources and eligibility requirements that participants can access.

◆

- ◆ **Educational Groups:** Families in Family Self-Sufficiency will have access to group activities that are held at various service agencies. These activities may include parenting, domestic violence, resume building, Resource Day, and workshops and assistance with ADHD children and children with special needs.
- ◆ **Escrow Account:** The LHA will work with each family participant in determining the amount of their escrow account. A portion of the account may also be utilized prior to completion of the Family Participation Contract if the family is meeting interim goals of their plan, but needs funds to further the completion of the contract. The Housing and Family Specialist will work with the family in accessing other financial resources when possible.

FSS (Escrow) Account: The LHA shall deposit the FSS account funds of all participating families into a single depository account. The LHA shall maintain individual FSS family accounts and shall credit, at least annually, the amount of FSS credit determined by increases in earned income during the family's contract of participation.

The LHA shall provide annual reports to each FSS family regarding the balance at the beginning of the reporting period; the amount of the family's rent payment that was credited to the escrow account during the reporting period; any deductions made from the account for amounts due the LHA before interest is calculated and distributed; the amount of interest earned during the year, and the total in the account at the end of the reporting period.

LHA Discretionary Fund: The LHA may establish a fund utilizing administrative fee reserve funds to provide emergency funds for those families participating in the FSS program. Said assistance shall be limited to emergency situations such as child care, medical expenses not provided by private or public insurance plans, transportation needs, or educational needs not provided by scholarships, grants or other public or private funding resources. Referrals will be made through the Housing and Family Specialist, and recommendations made to the Housing Programs Supervisor. The LIJA shall have the option to provide the assistance in the form of a no or low interest loan in order to maintain the fund account. Pursuant to Section 982.155 of the 24 CFR, the LHA has authorization to establish the maximum amount that may be charged against the administrative fee reserve without specific approval. The maximum for the FSS Emergency fund has been established at \$2,500.00.

FAMILY PARTICIPATION.

Participation Selection: The LIJA's policies for selecting FSS family participants are subject to the requirements described in section 984.203 of the Section 8 Family Self-Sufficiency Program and the Project Coordinating Committee's direction. FSS family participants shall be selected without regard to race, color, religion, sex, handicap, familial status, or national origin. Based on the existing funding availability and current LIJA staff capacity, 130 families will be selected to participate in the program.

General Selection Requirements:

- ◆ Participants must be approved tenants in the Section 8 Housing Assistance Payments Program.
- ◆ All potential participants will receive information in the Section 8 Briefing Folder about the FSS Program.
- ◆ All new Section 8 tenants will be invited to participate in the FSS Program at the time they sign their Section 8 Lease. Families on the Family Unification Program will be given a selection preference.
- ◆ FSS Applicants will be required to attend an orientation session and complete a Family Self-Sufficiency Assessment.
- ◆ The family's willingness to complete the obligations of the FSS Contract.
- ◆ The number of families participating in the FSS Program, may exceed the 120 mandatory slots, if there are eligible and interested families.

Incentives to Encourage Family Participation

- ◆ LHA will establish an escrow account for FSS family participants
- ◆ Opportunity to select services that will assist the family in developing the necessary skills and securing the resources to become financial self-sufficient.

- ◆ The opportunity to develop supportive relationships
- ◆ The opportunity to receive individualized assistance and encouragement
- ◆ Access to community employment, training and educational resources

Contract of Participation: Each family selected is required to enter into a contract with the LHA that outlines the participant's goals, individualized training and service plan, rights and responsibilities pursuant to the Section 8 FSS program requirements, resources and services provided, and specific activities, including target dates, to be completed by the FSS program participant. The contract of participation shall provide that the FSS family must comply with the terms and conditions of the Section 8 assisted lease.

Rent Adjustments: FSS families must report all changes in family composition, status or income to the LHA in accordance with 24 CFR, Parts 813 (Section 8 program rules). Failure to do so within 10 days may result in a retroactive rent change.

Increases in the FSS family's earned income may not be considered as "income or resources" for the purposes of eligibility of the FSS family for other benefits, or amount of benefits payable to the FSS family, under any other program administered by HUD, unless the income of the FSS family equals or exceeds 80 percent of the median income of the area. FSS families have the option to delay an interim increase in rent as a result of an increase income. FSS families may not defer a rent increase if the income increase is determined at lease renewal.

Escrow Account: The LHA will establish an escrow account for FSS families to serve as a

"savings" for increased employment earnings . Funds shall be disbursed to head of the FSS family when the contract of participation has been completed (according to section 984.303 of the Family Self-Sufficiency Program regulations). The head of the FSS family must submit to the LHA a certification that the contract has been successfully completed and that no member of the FSS family is a recipient of welfare assistance. The LHA shall reduce the amount of escrow disbursed to the FSS family by the amount owed to the LHA for past unreported income or for claims made against the LHA by landlords for damages and unpaid rent.

FSS families may receive a portion, but not more than half of the balance, of their escrow account prior to completion of the contract of participation only if they meet interim goals and need the escrow funds to help complete the goals of the contract. The FSS participant shall submit a written request for the escrow funds, to the Housing and Family Specialist, at the LHA, along with documentation that the family is meeting interim goals and the funds will be used to complete the contract of participation.

Employment obligation: Pursuant to Section 984.303 (4), the head of the FSS family shall be required under the contract of participation to seek and maintain suitable employment during the contract term (or extension thereof). Seek employment means that the head of household has applied for employment, attended job interviews, and has otherwise followed through on employment opportunities. The determination of suitable employment shall be made by the LHA.

considering the skills, education and job training of the head of household.

Term of Contract: The Contract of FSS Participation shall provide that participants be required to fulfill obligations (goals and related activities) to which they have committed no later than five (5) years after the effective date. Contract extensions shall be approved and granted, in writing, if the LHA, with concurrence of the PCC, finds that good cause exists for granting the extension. The FSS participant must submit a written request that describes the need for the extension and that circumstances beyond their control have prevented them from successfully completing the goals in the agreed term.

Consequences of noncompliance with the FSS Contract: The Contract of Participation shall specify that if the FSS family fails to comply with the terms and conditions of the contract of participation, which includes compliance with the assisted lease (pursuant to the Section 8 program, PART 882 and 887 of 24 CFR), the LHA may:

1. Terminate the family's participation in the FSS Program;
2. Terminate or withhold the family's Section 8 assistance, except in the case where the only basis for noncompliance with the contract of participation is noncompliance with the lease, or failure to become independent from welfare assistance. However failure to become independent from welfare assistance because of failure of the head of household to meet the employment obligation described in the "*employment obligation*" described above or failure of the FSS family

to meet any other obligation under the Contract of Participation, except the interim goal concerning welfare assistance, is grounds for the LHA to terminate or withhold Section 8 assistance.

PORTABILITY REQUIREMENTS FOR FAMILY PARTICIPANTS

Section 8 Residency Requirement: A family participating in the FSS program must lease an assisted unit, for a minimum period of 12 months after the effective date of the Contract of Participation. Thereafter, the FSS family may move outside the jurisdiction with the regulations of 24 CFR Part 982.

Continued Participation in FSS at Receiving Housing Authority: The LHA may approve continued FSS participation for a family porting to another jurisdiction, if the family demonstrates, to the satisfaction of the LHA, that they will be able to fulfill their responsibilities under the Contract of Participation. However, if a family does not participate in a FSS program, any remaining funds in their escrow account will be forfeited to the LHA. If the family remains in the FSS program, there will be only one Contract of Participation. Although not obligated to enroll the porting family, the receiving Housing Authority may authorize family participation in their FSS program. In this case, the initial Contract of Participation will be terminated and a new contract with the receiving Housing Authority will be executed.

Escrow Account: Regardless of whether the relocating FSS family remains in the FSS program of the LHA or enrolled in the receiving Housing Authority's FSS program, there will be

only a single escrow account maintained by the JHA until such time the family is absorbed by the receiving Housing Authority. When the FSS family is absorbed by the receiving Housing Authority, the family's escrow funds will be transferred to the receiving Housing Authority's escrow fund. In the event of forfeiture of the FSS family's escrow account, the funds in the account will revert to the Housing Authority maintaining the FSS account for the family.

CITY OF CEDAR RAPIDS POLICY FOR THE USE OF FAMILY SELF-SUFFICIENCY
DISCRETIONARY FUNDS
REVISED: 4-1-88

Cedar Rapids Housing Services has developed a Family Self-Sufficiency Program to promote the development of local strategies to coordinate the use of Section 8 Housing Assistance with local and public resources to enable families to receive assistance under these programs to achieve economic independence and self-sufficiency. As stated in PART 982.155 of the conforming rule, the Housing Authority has "broad discretion to use administrative fee reserve funds for other housing purposes permitted by state and local law." Since the Family Self-Sufficiency Program (FSS) is directly linked to Section 8 program participants, a set aside fund has been established to meet the goals of the program. The policy and procedures on the use of said fund have been approved by Cedar Rapids Leased Housing Authority and the FSS Project Coordinating Committee.

PURPOSE FOR THE DISCRETIONARY FUND - Limitations on the use: The purpose of the discretionary fund is to provide FSS Family Participants assistance to meet emergency situations when other personal and public resources are not available. Funds must be used to meet the goals of the FSS participant in attaining economic self-sufficiency. Funds will be limited to emergency child care needs, transportation costs (including minor repairs of personal vehicle), medical expenses not covered by private or public medical insurance plans, educational needs not covered by scholarships, grants or other public or private funding resources. The Leased Housing Authority shall also utilize the Discretionary Fund to cover costs of Family Self-Sufficiency Program sponsored events, such as specialized training, information seminars or informal family gatherings.

ASSISTANCE - Terms and Conditions: Assistance will be in the form of a 0% interest loan not to exceed \$200.00 per family participant in a twelve month period. A Promissory Note shall be signed by the participant which states that twelve (12) equal monthly payments shall begin thirty (30) days following the fund disbursement. The family shall also agree to pay all debts and obligations owed to the Leased Housing Authority prior to the end of the family's FSS Contract of Participation. Unpaid discretionary fund loan obligations shall be collected from the escrow account when the FSS participant completes, or is terminated from the program.

PROCEDURE FOR REQUESTING DISCRETIONARY FUNDS: FSS family participants shall have the opportunity to access emergency funds to assist them in meeting their FSS program goals. The "Request for Assistance" (attached) shall be completed by the family participant with the help of Housing Services Housing and Family Specialist. Requests shall be made only when all personal, private and public financial resources have been sought. The family participant shall give a description of the emergency and the amount of assistance required to remedy the situation. Verifications (receipts, bills, estimates, etc.) will be required whenever possible. Finally, the Housing and Family Specialist will review the family participant's progress in meeting their program goals, and make a recommendation regarding approval or disapproval.

If approved by the Housing Services Office, the Housing and Family Specialist will prepare a "Promissory Note", and forward it along with a W-9 form, to the family participant to sign and return. Upon receipt of the signed Promissory Note and W-9 form, a check request will be processed and submitted to the Cedar Rapids Auditor's Office according to existing procedures. A check, payable to the family participant, or to the vendor, will be available approximately 14 days from the date of the request for payment.

FINANCIAL MANAGEMENT: The Housing Services Office has established an interest bearing checking account at Guaranty Bank & Trust, Cedar Rapids, Iowa. Pursuant to Section 982.155 of 24 CFR (Conforming Rule), the Housing Services Office has set a maximum limit for the Discretionary Fund at \$2,500.00. Interest earned (program income) from the account shall be maintained by the Housing Services Office. The Housing Services Office shall maintain individual FSS family accounts tracking disbursements and loan repayments.

Loan repayments shall be made payable to the "City Treasurer's Office" and mailed to the Housing Services Office at 1215 1st Street SE, Cedar Rapids, Iowa 562401. Housing Services staff shall deposit the repayments into the Discretionary Fund Account.

**MEMORANDUM OF UNDERSTANDING
FAMILY UNIFICATION PROGRAM (FUP)**

This Memorandum of Understanding is executed between the Cedar Rapids Housing Services (CRHS) and the Iowa Department of Human Services (DHS) regarding the Family Unification Program (FUP).

- A. CRHS and DHS have agreed to the following goals for FUP:**
- To ensure that rental assistance payments help families who are involved with the child welfare system find affordable and decent housing in a safe and supportive environment, and
 - To ensure that children who remain with their families or who are reunited with their families are safe and secure and not subject to neglect as a result of homelessness or inadequate housing
- B. CRHS and DHS have also agreed to work together to achieve the following objectives to the maximum extent possible:**
- To empower families to resolve their own problems, effectively utilize service systems, and advocate for their children with schools, public and private agencies, and other community institutions;
 - To ensure that family problems are identified as early as possible and engage families in a change process to remedy these problems;
 - To involve the community in identifying community-based services, expand those services, and where necessary, advocate new service programs, and
 - To prevent child abuse and neglect and the unnecessary separation of children from their families.
- C. The program will be deemed successful if it meets the following standards:**
- At least 90% of the children threatened with separation from their families or reunited with their families remain together in their subsidized unit for six months.
 - At least 75% of the children threatened with separation from their families or reunited with their families remain together in their subsidized unit for one year.

- At least 65% of the children threatened with separation from their families or reunited with their families remain together in their subsidized unit for two years.

1. Eligibility Criteria for the Family Unification Program (FUP) Certificates

Because the number of FUP certificates is limited, DHS will not be able to refer all families to CRHS that meet the eligibility requirements listed below for a FUP certificate.

- a) DHS has found the family to be one whose children are at risk of imminent placement because of inadequate food, clothing, shelter, or environment neglect or whose children cannot be returned home because the family cannot provide for the children's subsistence needs;
- b) DHS has found the family to be one for whom the lack of adequate housing is a primary factor in the imminent placement of a family's child(ren) in out-of-home care, or in the delay of reuniting a child(ren) who are in out-of-home care with the family; and
- c) In cases where the family's child(ren) is currently placed in care, DHS has determined that the child(ren) will be returned within 60-120 days
- d) CRHS has determined that the family is eligible for the Section 8 rental certificate program.

2. The Role and Responsibilities of CRHS in the selection of Families for FUP

- a) Determine whether the families referred by DHS are already on the Section 8 waiting list.
- b) Determine whether the families referred by DHS are eligible for any Section 8 program. If the family is eligible CRHS will place the family on the Section 8-FUP waiting list. If the family is not eligible for the Section 8 program, CRHS will notify DHS and the family. CRHS will notify the applicant that they have the right to appeal this decision by requesting an informal review.
- c) Processing of housing subsidies in the order that they applied to the Section 8 waiting list and placing them ahead of other applicants.
- d) Make changes in the Administrative Plan where necessary; for example, waiting list procedures and criminal background records check.
- e) Maintain quality program data for future program evaluation;

- f) If Section 8 assistance to any FUP family is terminated, CRHS will reissue the certificate to another eligible FUP family. CRHS guarantees the funding allocation for 100 Section 8 certificates will be eligible to FUP families.
 - g) CRHS will expedite the process for third party verifications of a family's income and eligibility to the maximum extent possible.
 - h) Notify DHS when a participant is terminated from the program.
3. **The Role and Responsibilities of CHS in the Certification of Families for FUP**
- a) Identify families whose children are at risk of imminent placement because of inadequate food, clothing, shelter, or environmental neglect or whose children cannot be returned home because the family cannot provide for the children's subsistence needs, or collateral agency referral.
 - b) Develop procedures for referring potentially eligible families to CRHS and provide written verification to CRHS that the family meets program guidelines. (See referral protocol).
 - c) Maintain relevant data and provide written information as requested for program evaluation.
 - d) Notify CRHS when DHS finds that the family no longer meets criteria 1.a., 1.b., and 1.c. or withdraws services from the family.
4. **Procedure for the use of CRHS Waiting List for Section 8 Rental Assistance**
- a) If a family referred by DHS is not on the Section 8 waiting list, CRHS will set up a meeting with the family to determine eligibility for FUP.
 - b) Those families eligible for FUP but not currently on the Section 8 waiting list will be placed on the Section 8 waiting list with a coded entry next to their name signifying that they are eligible for FUP.
 - c) CRHS will notify DHS as to the family's eligibility.
 - d) CRHS will notify the family regarding their eligibility for FUP. CRHS will notify the family that they may appeal this decision. CRHS is responsible for defending its eligibility decisions as to the family's programmatic eligibility for the Section 8 rental certificates. Section 8 informal hearing procedures will be utilized.
 - e) CRHS will disburse FUP certificates in the rank order of the Section 8 waiting list.

- f) If the family loses their eligibility for FUP prior to the issuance of a certificate, their application will be returned to the Section 8 waiting list.
- g) If a participant is terminated from FUP, the certificate will be reissued to another eligible family. CRHS will notify DHS when a participant is terminated from FUP.

5. Service Plan for Families Certified for FUP

- a) For each family DHS refers to CRHS for FUP whose child(ren) is in placement in out-of-home care, DHS will provide to CRHS the anticipated date of the child's return to the parent by submitting the current case permanency plan for the FUP family.
- b) Where appropriate DHS will assist the family in identifying ongoing service needs and community resources that can assist the family meet those needs.

6. Community Resources

Where appropriate the DHS caseworker will be responsible for the delivery of services as developed with the family and outlined in the family's Case Permanency Plan. These services may include, but not be limited to direct provision or referral to:

- housing search;
- case management/counseling;
- child care;
- adult education;
- parenting skill training;
- vocational training;
- mental and physical health care;
- substance abuse treatment; and
- family advocacy.

7. Housing and Financial Assistance to Family Unification Program Families

CRHS will provide briefing sessions for FUP certified tenants. These meetings may include but not be limited to the following:

- apartment search techniques;
- lease negotiations;
- housing discrimination;
- housing quality standards or City Housing Code;
- tenants rights and responsibilities

Where appropriate, if available DHS will also refer the family for such items as cash assistance to eligible families to cover such costs as first months rent, security deposit, utility costs and/or arrearages, food, clothing and furniture needed to avoid placement or for the child(ren) to be returned to the family. Where appropriate, DHS may provide other services to help the family remain stable in their new housing.

8. Family Unification Program Project Advisory Committee

CRHS and DHS will designate staff to provide liaison between the two agencies and the cooperating service network for FUP. CRHS and DHS will jointly establish and staff a community-based Family Unification Program Project Advisory Committee (PAC), made up of public and private agencies involved in child and family services and other organizations or persons as appropriate to meet program goals. The FSS - PCC board will be the designated Advisory Committee for the FUP program.

The PAC will meet regularly to:

- a) review reports on program utilization, family services, and project evaluation.
- b) recommend service program changes or additions to meet needs of families in FUP.

9. Coordination of FUP with other Department of Housing and Urban Development (HUD) and Department of Health and Human Services (HHS) Funded Programs

CRHS and DHS will coordinate FUP service programs with other HHS and HUD funded programs, such as the HUD Family Self Sufficiency Program, so that successful family unification may be achieved using all available resources.

10. Cross Training of CRHS and DHS Staff

CRHS will offer training to designated DHS staff as it relates to Section 8 programs' application procedures and eligibility requirements. Cross training from DHS will be offered to CRHS staff to describe mandates and procedures regarding family preservation and family reunification including any specific programs targeted at families whose children met criteria 1.a., 1.b., and 1.c. Training topics will include, but not limited to, child abuse and neglect reporting, interagency referrals, certification of eligible families and timely provisions of service.

11. FUP Hearing/Grievance Procedures


- a) All persons applying to or enrolled in FUP can request an informal review or hearing from CRHS on their Section 8 participation for denial, termination or reduced benefits.

- b) CRHS is responsible for defending its eligibility decisions, pertaining to the family's eligibility for Section 8 informal hearing procedures will be utilized.

12. DIES and CRHS Reporting on Families in FUP

- a) CRHS will maintain and update statistical reports on families in the program. This data will be made available to the FUP-PAC, HUD, HHS, the Child Welfare League of America and any official HUD evaluation.
- b) The reports will include demographic data, family service needs, service utilization information and unification.
- c) Reports will be prepared on initial occupancy on the families and at six month intervals for at least two years.

This Memorandum of Understanding for the Family Unification Program entered into on 16th day of March, 1998.



Lee R. Clancey
Mayor
City of Cedar Rapids



Marc Baty
Linn County Administrator
Iowa Department of Human Services

FAMILY UNIFICATION PROGRAM
REFERRAL PROTOCOL

1. Based on the Eligibility Criteria, a family is identified as a potential referral for Family Unification.
2. The DHS caseworker will discuss the family's situation with the supervisor. If there is agreement that the family appears to be a good candidate for the Family Unification Program (FUP) a referral form and certification form will be completed, signed by the supervisor and given to the respective DHS - FUP liaison.
3. The DHS-FUP liaison will review all of the referrals and send the highest priority referrals to the Housing Services Agency and will provide concrete proof of return of the child(ren) to the head of household. For example, recommendation of Foster Care Review Board, Court Order, or Case Permanency Plan. (See Referral/Certification Form).
4. The Housing Services Agency will make the final determination regarding Section 8 eligibility and will advise the DHS - FUP liaison about each case referral, within 14 days.
5. The DHS - FUP liaison will advise the DHS caseworker and/or the supervisor regarding the family's eligibility for the Section 8 Program.
6. Before a family has been found eligible, the DHS - FUP liaison will provide a copy of a general family case plan tailored to the objectives of the FUP program to the Housing Services Agency.
7. If a program participant chooses to exercise "portability" under the Section 8 Housing Program, the Housing Services Agency will advise the DHS - FUP liaison immediately.
8. The DHS - FUP liaison and the housing services representative will strongly recommend client participation in the Family Self-Sufficiency Program (FSS) whenever appropriate, and whenever possible be a part of their DHS Case Permanency Plan.
9. A FUP case will not be closed without the mutual consent of DHS and the Housing Agency.
10. If there is a need for conflict resolution, the DHS - FUP liaison and the Housing Services Liaison will meet and attempt to resolve the situation. If there is no agreement, the case will be referred to the respective Supervisors who will meet to then resolve the conflict.

Section 8 Administrative Plan

The City of Cedar Rapids

April 15, 2002

©Copyright Iowa NAHRO - Any reproduction or use of these materials without the express permission of INAHRO is prohibited.

TABLE OF CONTENTS

	Page
INTRODUCTION	1
Purpose of Administrative Plan	1
Conformance to HUD Regulations	1
Programs Administered by the Housing Authority	1
I. NONDISCRIMINATION AND PRIVACY POLICY	2
II. PROGRAM ELIGIBILITY GUIDELINES	3
A. Eligibility Criteria	3
1. Family Definition	3
2. Income Eligibility	3
3. Need for Assistance	4
4. Disclosure of Social Security Number	4
5. Applicant Must Not Have Committed Fraud	4
6. Citizenship and Eligible Immigration Status	4
7. Applicant Must Not Maintain Another Residence	4
8. Prior Housing History	4
9. Outstanding Debts	5
B. Ineligibility Because of Prior Eviction for Drug Related Activity	5
1. Drug-Related Criminal Activity	5
2. Waiver of Restriction	5
C. Screening Out Illegal Drug Users and Alcohol Abusers	5
1. Prohibition Against Illegal Drug Users and Alcohol Abusers	5
2. Waiver of Prohibition	5
3. Prohibit Registered Sex Offenders	6
D. Additional Ineligibility Factors	6
1. Fraud	6
2. Violent Criminal Activity or Illegal Drug Activity	6
3. Disturbance of the Peace	6
4. Abusive or Harassing Behavior Towards HA	6
E. Eligibility Restrictions Regarding Noncitizens	7
1. Requirements Under Rule	7
2. Proof of Citizenship	7
3. Establishing Eligibility of at Least One Family Member	8
4. HA May Not Delay, Deny, Reduce Assistance	8
5. Continued Assistance After November 29, 1996	8
6. Suspend Assistance for 24 Months Upon Determination	8
Ineligible Individual Residing in Household	8
7. Expired or Fraudulent Citizenship Documentation	8
8. Right to Informal Hearing	8
9. Mixed Families Permitted to Receive Continued Assistance	8

	Page
10. Temporary Deferral of Assistance for Ineligible Families	8
11. Prorated Assistance	9
12. Rental Housing Assistance Prohibited for Non-citizen Students and Their Families	9
F. Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide	9
1. Definition of Live-in Aide	9
G. Additional Ineligibility Factors	9
1. Eviction from public housing	10
2. Termination of Assistance	10
3. Engaged in or Threatened Abusive or Violent Behavior Toward HA Personnel	10
4. Refusal to Sign and Submit Mandatory Consent Forms	10
5. Failure to Submit Citizenship of Eligible Immigration Status Information	10
6. Eligible Immigration Status is not Verified by INS for at Least One Family Member	10
7. Family Has Not Reimbursed any Housing Authority for Amounts Paid to an Owner Under a HAP Contract or Other Amounts Owed	10
III. APPLICATION FOR ADMISSION	11
A. Introduction	11
B. Program Outreach	11
1. Outreach to Families	11
2. Outreach to Property Owners	12
C. Pre-Applications	13
1. Receipt of Pre-Applications	13
2. Processing of Pre-Applications	13
a. Completion of Pre-Application	13
b. Notification of Status	13
c. Waiting List Update	14
D. Verification of Preference	14
E. Final Eligibility Determination	14
1. Formal Application	14
2. Verification of Eligibility and Preference Status	14
a. Interview with Staff	15
b. Required Verification	15
c. Best Available Information	15
d. Information Must be Current within 60 days	15

	Page
3. Third Party Verification	15
a. Review of Documents	16
b. Family Certification	16
F. Informal Review	16
IV. APPLICANT SELECTION	17
A. Order of Selection from the Waiting List	17
a. Displacement	17
b. Family Unification Program referrals	17
c. Mainstream Disability applicants	17
d. Project Based applicants	17
e. 30% of Income	17
B. Special Admissions	17
1. Families Admitted Without Placement on Waiting List	17
V. INCOME, ASSETS, AND ALLOWANCES	18
A. Income	18
1. Computation of Annual Income	18
a. Use Current Income	18
b. Annualized Income	18
2. Calculation Examples	18
a. Regular Employment	18
b. Non-Regular Employment	18
c. Public Assistance	19
d. Pension/Social Security	19
e. Child Support, Alimony and Other Payments	19
f. Lump-Sum Payments	20
B. Assets	21
1. Total Value of Assets Calculation	21
a. Savings and Checking Accounts, Certificates of Deposit, IRA and KEOGH Accounts	21
b. Stocks	21
c. Bonds	21
d. Notes and Mortgages Held	21
e. Trusts	21
f. Real Property Owned	21
2. Income from Assets Calculation	21
a. Savings and Checking Accounts, Certificates of Deposit, IRA and KEOGH Accounts	21
b. Stocks	21
c. Notes and Mortgages Held	21

	Page
d. Trusts	21
e. Real Property Owned	21
f. Assets Disposed Of	22
3. Overall Asset Calculation	23
4. Asset Verification Guide	23
a. Savings and Checking Accounts, Certificates of Deposit, IRA and KEOGH Accounts	23
b. Stocks	23
c. Bonds	24
d. Trusts	24
e. Notes and Mortgages Held	24
f. Real Property Owned	25
C. Allowances	26
1. Dependent Allowance	26
2. Elderly Household Allowance	26
3. Child Care Allowance	26
4. Disability Assistance Allowance	26
5. Medical Expense Allowance	27
6. Income Disallowance for the Disabled	29
VI. COMPUTING TOTAL TENANT PAYMENT AND TENANT RENT	32
A. Calculation of Total Tenant Payment and HAP Maximum Subsidy	32
1. Section 8 Project-Based Certificate	32
2. Section 8 Voucher	32
B. Utility Allowances	33
C. Payments Standards	33
D. Minimum Rent Hardships	34
VII. SUBSIDY STANDARDS	35
A. Bedroom Size Assignment	35
VIII. ISSUANCE OF CERTIFICATES/VOUCHERS AND BRIEFING OF FAMILIES	36
A. Selection From the Waiting List	36
B. Notification and Response	36
C. Briefings	36
1. Briefing Packet	36
2. Briefing Session	37
D. Voucher Suspensions Extensions	38
1. Suspensions	38
2. Extensions	38

	Page
IX. UNIT SELECTION AND APPROVAL	39
A. Locating a Unit	39
B. Portability	39
C. Applicant Flexibility on Unit Size Selection	40
1. Larger-Sized Units	40
2. Smaller-Sized Units	40
D. Eligible and Ineligible Housing Units	40
1. Eligible Units	40
2. Ineligible Units	41
E. Information Provided to Prospective Landlords About Participants	41
F. Security Deposits	42
G. Approval of Property Owner	43
H. Approval of Owner's Proposed Lease	44
I. Rent Reasonableness	44
J. Housing Quality Standards Inspections	45
1. Inspection Procedures	45
2. Quality Control Procedures	46
X. HOUSING ASSISTANCE PAYMENTS CONTRACT	47
A. HAP Contract Execution	47
1. HAP Contract	47
2. Current Owners May Continue to Use Old Version of HAP Contract	47
3. Review of Documents	47
4. HA Sign HAP Contracts Before Lease Term Begins	47
5. New HAP Contract Required for New and Revised Leases	48
B. Payments to Owners	48
C. Contract Rent Adjustments - Certificate Program	48
1. Annual Adjustments	48
D. Contract Rent Adjustments - Voucher Program	49

	Page
E. Rent Abatement and Contract Termination for HQS Violations	49
1. Owner Corrects The Deficiencies	49
2. HAP Contract Expires Or Is Terminated	50
XI. ONGOING ACTIVITIES	51
A. Annual Re-examinations	51
1. Re-examination of Income, Assets, Expenses and Family Composition	51
2. Tenants Requiring Larger or Smaller Units	51
3. Total Tenant Payment Equals or Exceeds Gross Rent	51
4. Effective Date of Increase in Tenant Rent	52
5. Effective Date of Decrease in Tenant Rent	52
B. Interim Re-examinations	52
1. Income/Family Composition Changes	52
2. Zero Income	53
3. Effective Date of Rent Changes Due to Interim Recertifications	53
4. Errors	53
C. Changes in Household Composition	53
D. Family Moves With Continued Assistance	54
1. Move After First Year of Lease	54
2. Mutual Recision	54
3. Repayment Agreement for pre 9/95 Contracts	54
4. HA May Limit Number of Moves	54
5. Move to Unit Outside HA's Jurisdiction	55
6. Denial of Move Request for Failure to Comply with Repayment Agreement	55
E. Assistance for Families Under Lease	55
F. Family Break-Up	55
G. Family Absence From Unit	55
H. Repayment Agreements	56
XII. TERMINATION, CLAIMS AND COMPLAINTS AND APPEALS	57
A. Termination of Tenancy By Owner or Participant	57
1. Owner Initiated Lease Termination	57
2. Participant Initiated Lease Termination	58

	Page
B. Housing Assistance Termination	59
1. Reasons for Termination of Housing Assistance	59
C. Contract Termination	61
1. Reasons for Contract Termination	61
D. Claims	62
1. General Conditions	62
2. Eligible Expenses and Maximum Amounts for Unpaid Rent and Damages	63
3. Unpaid Rent	63
4. Damages	63
5. Final Processing of Claims	64
6. Vacancy Loss	64
E. Complaints and Appeals	65
1. Complaints	65
2. Appeals	65
F. Informal Hearing	65
XIII. ADDITIONAL ITEMS	67
A. Misrepresentation	67
B. Monitoring Program Performance	67
C. Interpretation and Amendment	67
D. Family Self-Sufficiency Program (FSS)	68
APPENDICES	
1. Glossary of Terms	A-1
2. Informal Review Procedures (For Applicants)	A-18
3. Informal Hearing Procedures (For Participants)	A-20
4. Family Self Sufficiency Action Plan	A-24
5. Family Unification Memorandum of Understanding	A-38

INTRODUCTION

The purpose of this Administrative Plan is to:

- Establish policies for issues not covered under Federal regulations for the Section 8 Voucher, Family Self-Sufficiency, Family Unification, Mainstream Disability, Housing Preservation and Project-Based programs administered by the Cedar Rapids Housing Authority.
- Establish fair and equitable policies for selecting applicants to participate in Section 8 Programs administered by the Cedar Rapids Housing Authority (HA);
- Provide fair, equitable and reasonable procedures to govern Section 8 Program participation in accordance with regulations of the U.S. Department of Housing and Urban Development (HUD);
- Permit each applicant and participant the greatest opportunity for the exercise of individual rights.

The provisions of this Administrative Plan govern administration of the Section 8 Voucher, Family Self-Sufficiency, Family Unification, Mainstream Disability, Housing Preservation and Project Based programs administered by the Cedar Rapids Housing Authority.

This plan conforms to all current HUD regulations. The Authority will comply with any subsequent changes in HUD regulations pertaining to program administration. If such changes conflict with the provisions of this policy, HUD regulations will have precedence.

The HA administers the Section 8 Tenant Based Voucher programs in Cedar Rapids, Iowa and surrounding communities in Linn County and Benton County. The primary objective of these programs is to provide decent, safe, sanitary and affordable rental housing for low income households and to provide these households with housing choices and the opportunity to move outside areas with a concentration of low income households.

SECTION I

NONDISCRIMINATION AND PRIVACY POLICY

The HA will not discriminate against any applicant or resident because of race, color, creed, national or ethnic origin or ancestry, religion, sex, age, disability, military status, source of income, marital status or presence of children in a household; nor will any criteria be applied, nor information be considered, pertaining to attributes or behavior that may be imputed by some to a particular group or category. All criteria applied and information considered in administering this plan shall relate to the attributes and behavior of the individual members of the household.

The HA shall not, on account of race, creed, color, sex, age, class, disability, religion, military status, source of income, marital status or the presence of children deny to any family the opportunity to apply for assistance or deny any eligible applicant the opportunity to lease a housing unit suitable to its needs.

The Cedar Rapids Housing Authority is fully committed to providing reasonable accommodations to its applicants and participants with disabilities.

The HA provides and Voucher holders information on Federal/State/local laws regarding housing discrimination and any recourse available. Such information will be made available as part of the briefing session, and all applicable Fair Housing Information and Discrimination complaint forms will be made part of the Certificate and Voucher holders' packet. The HA will provide referrals and information to applicants and participants about local organizations which provide assistance in filing discrimination complaints.

It is also the policy of the HA to guard the privacy of individuals in accordance with the Privacy Act of 1974, and to ensure the protection of individuals' records maintained by the PHA. Therefore, the Housing Authority shall not disclose any personal information (including, but not limited to information on any disability) contained in its records to any person or agency unless the individual about whom the information is requested gives written consent to such disclosure, or as required by law. This privacy policy in no way limits the HA's ability to collect such information as it may need to determine eligibility or compute rent.

SECTION II

PROGRAM ELIGIBILITY GUIDELINES

A. Eligibility Criteria

To be eligible for admission, an applicant must meet the following criteria:

1. **The applicant must qualify as a family.** A family is defined as:
 - a. Two or more persons sharing residency whose income and resources are available to meet the family's needs, where the person to be designated head of household meets the HA's definition of adult and who are either related by blood, marriage or operation of law, or who have evidenced a stable family relationship over a period of time which shall not be less than one year; and have legal capacity, or
 - b. An Elderly Household whose head or spouse or sole member is elderly or disabled. The household may include one or more elderly or disabled persons living together or one or more such persons living with one another who is determined to be essential to their care or well being.
 - c. A single adult person, with no other children, who is pregnant or in the process of securing legal custody of any individual under the age of 18 years; or who shares joint custody of any individual under the age of 18 years at least 50% of the time; or
 - d. The remaining adult member of a resident family; or
 - e. Any other single person.
2. **The applicant must be income eligible.** The applicant's total family income must not exceed the Very Low Income Limit (50% of area median income) published in the Federal Register for the Cedar Rapids Metropolitan Statistical Area. 75% of all applicants must have income below 30% of the area median income. Income limits will, at all times, be posted in the HA Office. Income limits are generally revised annually by HUD and changes in income limits are incorporated into this policy by reference.

HUD rules allow admission of Low Income families (80% of area median income) in limited circumstances, including:

- a. when a family qualifies as continuously assisted under the 1937 Housing Act. Families are considered to be continuously assisted if they were previously assisted in subsidized housing under the 1937 Housing Act within 90 days prior to issuance of a Certificate or Voucher;

- b. when a family is physically displaced by rental rehabilitation activity under 24 CFR Part 511;
 - c. when a nonpurchasing household resides in a HOPE 1 (public and Indian homeownership) or HOPE 2 (multifamily homeownership) project;
 - d. when a non-purchasing household resides in a HUD assisted multifamily project subject to a resident homeownership program under the Code of Federal Regulations Title 24 part 248.173; or
 - e. when a family is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.
 - f. for the certificate program only, a low-income family residing in a HUD-owned multifamily rental housing project when HUD sells, forecloses or demolishes the project.
- 3. Need for Assistance. Families must demonstrate the need for assistance, specified as follows:
 - a. *Vouchers.* Thirty percent of the family's monthly adjusted income must not equal or exceed the Payment Standard for the unit size the family has been assigned based on subsidy standards.
- 4. The applicant and all family members must disclose their SSNs by providing a copy of their Social Security card or other Social Security issued documents. These numbers must be verified. If a SSN has not been assigned, certification to that effect must be executed for all family members.
- 5. The applicant, or any adult family member, must not have committed fraud in connection with any federal housing assistance program. Intentionally providing misleading information on the application form is considered fraud.
- 6. The applicant and each family member must be a U.S. citizen or noncitizens who have eligible immigration status.
- 7. The applicant family must not maintain another residence in addition to the HA unit.
- 8. Prior housing history. Neither the applicant nor any member of the applicant family has been evicted from Public Housing, Indian Housing, Section 23, or any Section 8 Program because of drug-related criminal activity within the last three years beginning on the date of the eviction.

9. **Outstanding Debts.** The family must have paid any outstanding debt owed to the HA or another the HA on any previous tenancy in public housing or Section 8.

The HA may require the family to sign a repayment agreement for outstanding debts owed to the HA in order to determine the family eligible for special programs such as Family Unification and Mainstream Disability.

B. Ineligibility Because of Prior Eviction for Drug-Related Activity

1. Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use of a controlled substance. Pursuant to federal law, persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for participation in any Section 8 program at HA for a five year period beginning on the date of such eviction.
2. The HA will waive this restriction if the applicant can demonstrate to the satisfaction of the HA that:
 - a. the person successfully completed a rehabilitation program approved by HA, or
 - b. the circumstance (s) leading to the eviction no longer exists. For example, the person involved in drugs and responsible for the eviction is no longer part of the household.

C. Screening Out Illegal Drug Users, Alcohol Abusers, and Sex Offenders

1. The HA will prohibit the admission to Section 8 programs of any person who the HA determines is illegally using a controlled substance.

The HA will also prohibit admitting any person to Section 8 programs in cases where the HA determines that there is reasonable cause to believe that the person abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

The HA will prohibit admitting any person to Section 8 programs in cases where the HA determines that there is reasonable cause to believe that the person's pattern of illegal use of a controlled substance or pattern of abuse of alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

2. The HA will waive the policies prohibiting admission in these circumstances if the person demonstrates to the HA's satisfaction through written documentation from a physician, medical-social caseworker or a drug rehabilitation counselor that:

- a. Has successfully completed a supervised drug or alcohol rehabilitation program;
- b. Has otherwise been rehabilitated successfully; or
1. Is participating in a supervised drug or alcohol rehabilitation program.
3. The HA will prohibit the admission to Section 8 programs of any person who the HA determines is required to register as a sex offender.

D. Additional Ineligibility Factors

1. Families where any of the family members have committed fraud, bribery or other corrupt or criminal act in connection with any federal housing program will be denied admission for five (5) years from the occurrence.
2. Families where any of the family members engaged in violent criminal activity or illegal drug activity resulting in an eviction and/or termination of Section 8 or Public Housing benefits will be denied admission for five (5) years from the occurrence.
3. Families where any of the family members engaged in disturbance of the peaceful enjoyment of others resulting in a court approved eviction and termination of Section 8 or Public Housing benefits will be denied admission for five (5) years from occurrence and removed from the waiting list after verification of factors, provided in a written notice of the grounds for denial and of the opportunity for an informal review.
4. Families where any of the family members have engaged in abusive and harassing behavior toward any HA staff member will be denied admission for five (5) years from the occurrence.

The HA may at its discretion review the nature and severity of the offense and the length of time since it occurred and may offer the applicant the opportunity to provide evidence to demonstrate that the situation has not and is not likely to be repeated.

E. Eligibility Restrictions Regarding Non-citizens

1. As required by HUD, eligibility for assistance or continued assistance under a Section 214 program, such as Section 8, is contingent upon a family's submission of documentation either declaring U.S. citizenship or eligible immigration status. The HA requires both current tenants and applicants to submit the required citizenship or eligible immigration documentation for every household member in order to receive or continue to receive housing assistance. Documentation is required of all new admissions at the time an application is processed by the Housing Authority. Any current tenant who has not already provided documentation will be required to document citizenship or immigration status at the next re-examination. It is necessary to provide this information only one time for each family member during continued occupancy at the HA. Whenever a new family member is added, documentation must be provided before the new member can be added to the lease.
2. Proof of citizenship will take the following form:
 - a. For families claiming U.S. citizenship, each applicant or participant family member will sign the citizenship declaration form and present appropriate documentation (such as U.S. passport, resident alien card, social security card or other appropriate documentation), which will become a permanent part of the tenant file. Adults will be required to sign on behalf of all children under the age of eighteen years.
 - b. Noncitizens age 62 years or older who are current participants or applicants will be required to sign a declaration of eligible immigration status and submit proof of age.
 - c. Participants and applicants who are noncitizens declaring eligible immigration status must:
 - i. Sign a declaration of eligible immigration status;
 - ii. Provide the required U.S. Immigration and Naturalization Service documents, such as Alien Registration Receipt Card, Arrival/Departure Record, Temporary Resident Card, Immigration and Naturalization Service (INS) receipt in the event of any lost or missing cards listed above; and
 - iii. Sign a verification consent form.

The HA has the right to deny, terminate or adjust housing assistance if members of any household are found to be noncitizens with ineligible immigration status; however, this determination will not take place until all appeal rights requested have been exercised by the household. The HA may grant time extensions to provide appropriate information, provided that the

household shows a diligent effort in obtaining immigration status documents.

3. The HA may not make assistance available to a family applying for assistance until at least the eligibility of one family member has been established, and assistance must be prorated based on the number of individuals in the family for whom eligibility has been affirmatively established.
4. The HA may not delay, deny, reduce or terminate eligibility of an individual for assistance on the basis of the immigration status of the individual. The family will not be penalized for delays on the part of those entities which must verify eligible immigration status.
5. Continued assistance provided to an eligible mixed family after November 29, 1996 will be prorated based on the percentage of family members that are eligible for assistance.
6. The HA is required to suspend assistance to a family for a period of at least 24 months upon determining that the family has knowingly permitted an ineligible individual to reside on a permanent basis in the family's unit. This provision does not apply if the ineligible individual has already been considered in calculating any proration of assistance for the family.
7. If the HA discovers that citizenship information provided is expired, fraudulent, or otherwise invalid, it will notify the family or individual of the results of these findings. The family or individual will then have 30 days from the date of the notification to file an appeal with the INS to correct the problem. The family or individual must provide the Housing Authority a copy of the appeal request to the INS, which will become a permanent item in the tenant file. The HA can extend this 30 day appeal period at its sole discretion if good cause is found.
8. Any applicant or participant family affected by these provisions has the right to an informal hearing provided the family notifies the HA within 30 days of the action or decision the family wishes to appeal. All appeals will be conducted in accordance with the provisions of the HA's Informal Hearing Procedures.
9. In accordance with Federal rules, mixed families who were participants in the HA's Section 8 program on June 19, 1995, are permitted to receive continued assistance provided that either the head of household or spouse have eligible immigration status and any ineligible family members are either the head, spouse, parents, or children of the head or spouse.
10. Families who were participants in the HA's Section 8 program on June 19, 1995 but became ineligible for housing assistance because there are no family members with eligible immigration status may be given a temporary deferral of assistance to transfer to other housing at the discretion of the Housing Authority. If the temporary assistance is

provided, it will be offered in six month increments and never for longer than a total of 18 months. The maximum period for deferrals granted prior to November 29, 1996 will be three years.

11. Families that no longer qualify for housing assistance due to their citizenship status may apply for prorated assistance to decrease the level of housing assistance provided to the household based on the ratio of eligible and ineligible persons in the household.
12. Rental housing assistance is prohibited to noncitizen students and their families. None of the provisions of the rules related to prorated assistance, continued assistance, or temporary deferral of termination of assistance applies to noncitizen students. This prohibition does not include citizen spouses and their children.

F. Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide

1. Some applicants and participants who would not otherwise be able to fully discharge the responsibilities of tenancy may be able to do so with the assistance of a live-in aide residing in the unit. The live-in aide must provide the HA their Social Security number and card and birth date so the HA can check criminal records using the same procedure used for applicants.

A Family may include a live-in aide who:

- a. Has been verified by the HA to be essential to the care and well being of the elderly or disabled family member; and
- b. Is not obligated for the support of the elderly or disabled member; and
- c. Would not be living in the unit except to provide care of the elderly or disabled member; and
- d. Whose income will not be counted for purposes of determining eligibility or rent; and
- e. Who may not be considered the remaining member of the Tenant family.
- f. A live-in aide's family members may also reside in the unit provided it does not increase the subsidy by the cost of an additional bedroom and provided that the presence of the live-in's family members do not overcrowd the unit.

G. Additional Ineligibility Factors For Re-Admission

Applicants and tenants terminated from the Section 8 program will be denied assistance for a period of five (5) years by HA for the following reasons:

1. If any family member has ever been evicted from public housing.
2. If an HA has ever terminated assistance under the certificate or voucher program for any member of the family.
3. If the family has engaged in or threatened abusive or violent behavior toward HA personnel.
4. If any family member refuses to sign and submit mandatory consent forms.
5. If evidence of citizenship and eligible immigration status is not submitted by a specified date, or by the expiration of any extension granted.
6. If INS primary and secondary verification does not verify eligible immigration status of at least one family member.
7. If the family has not reimbursed any housing authority for amounts paid to an owner under a HAP Contract for rent, damages to the unit, or other amounts owed by the family under the lease.

The HA may, at its discretion, review the nature and severity of the offense and the length of time since it occurred and may offer the applicant the opportunity to provide evidence to demonstrate that the situation has not and is not likely to be repeated.

SECTION III

APPLICATION FOR ADMISSION

A. Introduction

The HA will accept pre-applications for the Section 8 Program, submitted by mail or in person, at the office located at 1211 6th Street SW, Cedar Rapids, Iowa. Anyone may apply; the HA will not deny anyone the right to submit a pre-application when the waiting list is open. All pre-applications will be time and date stamped upon receipt and all pre-applicants will receive acknowledgment by the HA at the time they apply.

Accommodations will be made for interested, disabled applicants. All applicant households will be offered the opportunity to apply for housing, if the waiting list is open.

An updated application will be taken prior to certification or issuance of a new voucher to record any changes in the family situation since the date of the original. It shall be the applicant's responsibility to complete the required "change of status" form. Failure to do so will result in an application being withdrawn. Similarly, the HA's inability to contact the family will result in the application being withdrawn.

B. Program Outreach

1. Outreach to Families.

The HA reserves the right to open or close the waiting list based on the supply of applicants. The waiting list will be closed when there are not enough Section 8 subsidies to assist all the applicants in a reasonable period of time. When the HA determines that additional applicants are needed, the waiting list will be reopened. The Authority will publicly advertise the closing and reopening of application intake periods in local newspapers.

When the waiting list is to be reopened, the Housing Authority will clearly state in the public announcement the procedure used to determine the position of each applicant on the waiting list.

To reach possible applicants from all backgrounds, the HA will advertise through a wide variety of sources including local and State newspapers, minority media, minority civic clubs, service agencies, Linn County Landlord Association and broadcast media. An effort will also be made to notify agencies which specifically address the needs of individuals with disabilities. The HA will continuously monitor and evaluate outreach activities to ensure that the widest possible audience is reached.

All notices and advertising announcing the opening of the waiting list will include:

- a. The dates the list will be open;
- b. The office hours and location where applications are available and will be accepted;
- c. The availability of Certificates and Vouchers;
- d. Eligibility guidelines;
- e. Preferences for the selection of applicants; and
- f. Any limitations which may apply.

2. Outreach to Property Owners.

Landlord briefings will be held on an ongoing basis to increase the number of available units. The HA will notify and provide program information to local realtors, agents, apartment associations and any interested landlords. HA staff will be available to make presentations about the Section 8 Program to these groups. In addition, printed materials which describe the program requirements and opportunities for property owners will be made available. The HA maintains a list of interested property owners and units available for the Section 8 Program. As inquiries from prospective new property owners are received, staff record the necessary information about units and make it available to prospective tenants upon request.

The HA will make a concerted effort to contact and encourage local property owners with units specially designed or adapted for persons with disabilities, and those who may be willing to adapt units, to participate in the program. Notices shall be sent to landlords presently participating, landlords that have participated in the past, local real estate agencies, and to local social service agencies that specifically address the needs of disabled clientele.

Whenever the HA is informed by a local property owner of a unit available for the program, the HA shall inquire as to whether the unit is accessible and the extent of accessibility.

C. Pre-Applications

1. Receipt of Pre-Applications.

Completed pre-applications must be submitted in person or by mail at the office located at 1211 6th Street SW, Cedar Rapids, Iowa.

The date and time of application will determine the applicant's position on the waiting list. The HA will utilize the date and time of application as preference until further notification by HUD that federal preferences have been re-instated. Exception for preferences will be:

- a. Displaced by local government code enforcement action that has determined the residence to be unfit for human habitation due to violation of the building and housing codes.
- b. Family Unification Program referrals. (See Memorandum of Understanding in Appendix)
- c. Mainstream Disability applicants,
 2. Project-based applicants, or
 3. 30 percent of income below area median income.

2. Processing of Pre-Applications.

- a. *Completion of Pre-application:* It is the responsibility of the applicant to accurately and completely fill out the pre-application. If an incomplete pre-application is received, HA staff will make reasonable efforts to contact the applicant and inform him/her of the additional information required. If those efforts fail, the pre-application will be withdrawn. Reasonable efforts shall not exceed one letter or, if no address is provided, two telephone calls. A record of those efforts shall be maintained with the pre-application.
- b. *Notification of Status:* Information provided by the applicant on the pre-application will be reviewed to determine if the applicant appears to be eligible. If the applicant household appears to meet the income limits as established by HUD for the Cedar Rapids, (IA) area, the pre-application will be approved provisionally based on the information provided by the family and the family will be placed on the waiting list.
 - (i) Waiting list information will be limited to verification of applicants being listed on the waiting list or not; date and time of the application; family income; and their current address. If the current address is different, the applicant will be directed to complete the change address form.

Applicants requesting updates must provide their social security number. Under no circumstances, are HA staff allowed to accept, update, or change information over the telephone. All changes including addresses, income,

households members, etc., must be reported in writing and on the form prescribed by the HA (Appendix 3).

- (ii) Each applicant determined ineligible for Section 8 and denied placement on the waiting list, shall be notified in writing of the reason for his/her ineligibility and of his/her right to request, within 10 days, an Informal Review to discuss the Section 8 ineligibility determination. The review is to be held by an impartial hearing officer who is the Assisted Housing Manager. Any applicant determined eligible after the submission of additional information or through an Informal Review shall be placed on the waiting list according to the date and time of the original application.

- c. *Waiting List Update:* In the interest of maintaining an accurate waiting list of apparently eligible households, the HA will periodically mail requests to each applicant for updated household information. Each applicant will be required to respond within a special time frame which shall be no less than ten (10) days from the date the request was mailed to the applicant by the HA. The application of any household which fails to respond to the update request by the specified deadline date will be withdrawn. To be considered for admission, the applicant will be required to reapply.

An applicant may withdraw his/her application at any time. An applicant who has withdrawn an application will be required to reapply.

D. Verification of Preference

Each applicant will be provided with a description of all the HA preferences and will be required to certify at the time of pre-application whether the household qualifies for a preference unless preferences have been suspended by the HA. Placement on and selection from the waiting list will be based on applicant certification. However, before an applicant can receive a Voucher, the HA must have verified the preferences claimed. If the claimed preference(s) cannot be verified, the applicant will be returned to the waiting list based on the date and time of application but without the preference claimed.

E. Final Eligibility Determination

1. Formal Application. When staff estimate that a Section 8 Voucher will be available within the next several months, applicants will be notified in writing to submit a formal application, after which program eligibility will be determined and preference will be verified.
2. Verification of Eligibility and Preference Status. Each applicant household shall provide all information and authorizations necessary to enable Section 8 staff to determine program eligibility and to verify the applicant's qualification for preference status. Verification shall be from

third party sources whenever possible. All verifications must be completed before the family is issued a Voucher.

- a. Each applicant household shall have an interview with a member of the Section 8 staff. If the applicant fails to attend the scheduled interview appointment, the applicant's file may be withdrawn and the applicant will be required to reapply.
- b. The Authority shall require the applicant to:
 - (i) Provide verification of income, assets, exclusions and deductions from income; and preferences claimed;
 - (ii) Provide verification of family size, age and relationships;
 - (iii) Disclose the Social Security Numbers and cards or Social Security issued documents of all family members;
 - (iv) Provide certification and/or documentation regarding U.S. citizenship/non-citizenship.
- c. The applicant is required to make available all pertinent information at his/her disposal to assist the Authority staff in verifying eligibility information and to authorize the release of information to the Authority when necessary. However, the applicant shall not be penalized either by denial or unreasonable delay of assistance solely because third party sources have failed to respond to requests for information. When the applicant and the Authority have made all reasonable efforts to obtain information and the third party source has failed to respond, the Authority shall proceed with the processing of the application using the best available information.
- d. All information relative to income for eligibility, assets, family composition, preference and non-citizen status will be verified and current for applicants within 60 days prior to issuance of a certificate or voucher and verified and current for participants within 120 days for participants being re-certified; all verified findings will be recorded in the applicant/tenant file as necessary.

To determine family composition, bedroom size required and eligibility for allowances, applicants may be required to submit original birth certificates for all household members.

- 3. Third Party Verification. A release of information for verification of income (and other information) will be sent through the mail directly to the source. The method of verification is third party verification, and is the first method which must be sought.

If, after 10 working days, the verification has not returned to the HA, or if an unusual circumstance prevents this method, then, the following methods may be used:

- a. *Review of Documents:* HA staff may review and verify documents provided by the client. This method of verification must be fully documented. Such documentation may include reports of interviews, letters or telephone conversations with reliable sources. At a minimum, such reports shall indicate the date, the source of information, including the name and title of the individual contacted, and a summary of the information received. The sources of information may include, but are not limited to, the applicant (by means of interviews), landlords, employers, family social workers, clinics or physicians where warranted by the particular circumstances.
- b. *Family Certification:* When a third party verification or review of documents is not possible, the family may certify to their income.

F. Informal Review

Any applicant determined ineligible for Section 8 program participation as a result of the verification process will be informed in writing of the reason for the determination. The notice will provide the applicant the opportunity to request an Informal Review to discuss the determination. The applicant must submit in writing, within 10 days of date of the ineligible notification, a request for an Informal Review.

Upon receipt of a written request from an ineligible applicant for an Informal Review, the Authority shall notify the ineligible applicant of the time and date of the review. The review is to be conducted by the Assisted Housing Manager who is impartial and has no part in the ineligibility determination. The Review Officer will make a determination on the merits of the evidence presented. Within 30 days, a written decision will be mailed to the applicant and one copy will be retained in the applicant's file. If the ineligibility determination is overturned, and the family otherwise meets eligibility criteria, the family will be issued a voucher at the next scheduled briefing session. If the decision is upheld the family will be denied assistance and withdrawn from the waiting list.

SECTION IV

APPLICANT SELECTION

A. Order Of Selection from the Waiting List

All eligible applicants will be assigned to the waiting list according to date and time of application, with exception, however, to those pre-applicants who have a preference. Preference will be given to the following applicants by referral:

- a. Displaced by local government code enforcement action that has determined the residence to be unfit for human habitation due to violation of the building and housing codes.
- b. Family Unification Program referrals.
- c. Mainstream Disability applicants.
- d. Project based applicants.
- e. 30% of income below area median income.

B. Special Admissions

- 1. Some family applicants will be admitted to the HA's Section 8 Program without ever being on the waiting list or without considering the applicant's place on the waiting list. This may occur when HUD has awarded funding to the HA for a targeted group of households living in specified units. This HUD-targeted funding may include (but is not limited to):
 - a. Families displaced because of demolition or disposition of a public or Indian housing project;
 - b. Families residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
 - c. Housing covered by the Low Income Preservation and Resident Homeownership Act of 1990;
 - d. Non-purchasing families residing in a project subject to a homeownership program;
 - e. Families displaced because of a mortgage prepayment or voluntary termination of a mortgage insurance contract;
 - f. Families residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and,
 - g. Non-purchasing families residing in a HOPE 1 or HOPE 2 project, and,
 - h. Families being referred to the Family Unification, Mainstream Disability, and Project-Based Programs.

SECTION V

INCOME, ASSETS, AND ALLOWANCES

A. Income

Annual income is the gross income anticipated to be received by the family during the 12 months following the effective date of admission or re-examination. Annual Income will be used to determine an applicant's initial eligibility. It will also be used to calculate the participant's Total Tenant Payment for initial and continued program participation.

1. Computation of Annual Income.

- a. Use current family circumstances to anticipate income, unless the verification indicates an imminent change.
- b. Annualized all income, including income that may not last the full 12 months (such as unemployment benefits). When circumstances change, an interim re-examination may be processed. Converting income to an annual figure may be achieved by (i) annualizing current income or (ii) averaging known sources of income that vary to compute an annual income.

2. Calculation Examples.

- a. *Regular Employment:*
 - (i) Hourly wages times number of hours worked per year. (2080 hours for full-time employment with a 40 hour week and no overtime.)
 - (ii) Weekly wages times 52.
 - (iii) Bi-weekly wages times 26.
 - (iv) Semi-monthly wages times 24.
 - (v) Monthly wages times 12.
 - (vi) *Tips:* Average tips per week x 52 = average annual tips.
 - (vii) *Overtime:* Average overtime hours per week x overtime rate x 52 = annual overtime.
- b. *Non Regular Employment:* Includes employment where wages, hours, and employers worked for are flexible and no business related deductions are claimed. In general, this category applies to those types of employment which do not readily fit in the regular employment category. For example, a person who does yard work for the same employer, same wage, same number of

hours per period could and should be verified under the procedures for regular employment. However, if the client's wages, employers, and hours change frequently, their employment would be considered non-regular.

(i) Verification: The client must Self-Declare the following information:

- Type of work or services performed
- Average amount of income earned per month
- Signature of client and date prepared

(ii) Calculation: Average monthly income times 12 = annual income from non-regular employment.

c. *Public Assistance*: (Includes but not limited to AFDC, General Assistance, Supplemental Security Benefits, and Unemployment Compensation.)

(i) Calculation:

- Monthly Benefit x 12 = annual benefit. (Overpayments: In the case of benefits where a previous overpayment is currently being deducted the gross amount of the benefit minus the deduction for repayment shall be used.)

d. *Pension/Social Security*: Includes Social Security Benefits, Veterans Benefits, Pension Retirement and Annuity Benefits.

(i) Calculation:

- Monthly benefit x 12 = annual benefit. (Overpayments: In the case of benefits where a previous overpayment is currently being deducted, the gross amount of the benefit minus the deduction for repayment shall be used.)

e. *Child Support, Alimony, and Support Payments Made by Other Individuals*: Includes regular payments made by a parent for the support of a minor child residing in the household, regular payments made by relatives, friends, or other persons to the family, or on behalf of the family for basic rent and utilities.

(i) Calculation:

- Amount of payment x frequency = annual support income

-
- Frequency = Monthly (12)
 Weekly (52)
 Semi-monthly (24)
 Bi-weekly (26)

f. *Lump-Sum Payments:* Generally lump-sum amounts received by a family are considered assets, not income, i.e., inheritance, insurance, settlements, proceeds from the sale of property, etc. Deferred payments made because of a delay in processing a periodic payment such as unemployment, welfare benefits, etc., must be counted as income. Lump sum payments caused by delays in processing periodic payments for Social Security or SSI, are not counted as income. If an interim re-examination was not conducted to reduce the Total Tenant Payment, any lump sum amounts received by the family will be treated as an asset. The following example will apply only if an interim re-examination to reduce the Total Tenant Payment is conducted.

(i) Example: Family member loses her job on October 10, 1997. Unemployment benefits are delayed. On December 10, 1997, family received a lump-sum payment of \$600 for October 21, 1997 through December 7, 1997. Beginning December 8, 1986, the family receives \$100 per week in unemployment benefits.

- Family requests and receives an interim re-examination. The interim re-examination reduces the family's Total Tenant Payment and is effective November 1, 1997, and annual income is computed as shown below. Income is annualized even though unemployment income is not expected to last the full twelve months and family is reminded to come in for an interim when circumstances change.
- Any amounts deducted from lump sum payments for attorney's fees shall be deducted from the lump sum amount which is counted as income.
- Any lump sum amounts, counted as income, shall be included as income for the entire year (until the next annual re-examination), or for 12 months, whichever is greater.

(ii) Calculation:

- \$600 (Lump-sum payment) plus \$5,200 (\$100/week unemployment) = annual income from unemployment.

B. Assets

Family assets include interest, dividends, and any other net income of any kind from real or personal property, to include any assets disposed of at less than fair market value within the last two years.

1. Total Value of Assets Calculation.

- a. *Savings and Checking Accounts, Certificates of Deposit, IRA and KEOGH Accounts:* Account balance or certificate of deposit value = total asset value of savings and checking accounts/certificates of deposit, IRA and KEOGH accounts.
- b. *Stocks:* Number of shares x current per share value = total asset value of stocks.
- c. *Bonds:* Cash value of bond x number of bonds = total asset value of bonds.
- d. *Notes and Mortgages Held:* Principal amount remaining = total asset value of notes and mortgages held.
- e. *Trusts:*
 - (i) If trust is irrevocable, it is not counted as an asset.
 - (ii) If trust is revocable, current amount of trust = total value of trust.
- f. *Real Property Owned:* Current market value minus amount owed (if any) = total asset value of real property owned.

2. Income from Assets Calculation.

- a. *Savings and Checking Accounts, Certificates of Deposit, IRA and KEOGH Accounts:* Account balance x interest rate = annual income from savings/certificates of deposit, IRA and KEOGH accounts.
- b. *Stocks:* Amount of dividends paid x frequency of payment = annual dividend income.
- c. *Notes and Mortgages Held:* Interest portion of the payment x frequency of payment = annual note or mortgage income. (Repayment of principal is not considered income.)
- d. *Trusts:* Use of amount of annual proceeds as determined through verification.
- e. *Real Property Owned (if property is income producing):*

-
- (i) If income tax return for property is available, use the amount of net annual income from tax return.
 - (ii) If no income tax return is available, only the following deductions will be allowed:
 - Amount of payments received x frequency of payment = gross annual income, then
 - If balance owed on property, amount of interest portion of payments made x frequency of payment = annual interest deduction.

f. *Assets Disposed of:* Assets disposed of for less than fair market value during the two years preceding effective date of certification or re-certification are included as assets. Cash value of the asset, the amount the family would receive if the asset were converted to cash, must be used. Cash value is market value minus reasonable costs that were or would be incurred in selling or converting the asset to cash. Expenses which may be deducted include the following:

- (i) Penalties for withdrawing funds before maturity
- (ii) Brokers/legal fees assessed to sell or convert the asset to cash
- (iii) Settlement cost for real estate transactions

If the fair market value exceeds the gross amount the family received by more than \$1,000 count the whole difference between the cash value and the amounts received. If the difference is less than \$1,000, ignore it.

Assets disposed of for less than fair market value, as a result of a foreclosure, bankruptcy, divorce or separation, are not counted.

Assets put into trust or business assets disposed of for less than fair market value are counted.

- (a) *Calculation:* Include the difference between cash value and the amount received for any asset disposed of at less than fair market value within the last two years. (Cash value = the fair market value less reasonable costs.)
- (b) Calculating Income from Assets:

<u>Type of Asset</u>	<u>Cash Value Per Year</u>	<u>Actual Income From Asset</u>
Checking Account	300	0
Savings Account	2,000	115

Certificates of Deposit	10,000	988
Rental Property	15,000	0
TOTALS	\$27,300	\$1,101

- (c) Since total assets exceed \$5,000, imputed income must be calculated: Total Assets multiplied by the passbook rate established by the HA's HUD field office.

3. Overall Asset Calculation. To determine what amount to use for assets in the overall calculation of total annual income for both rent and eligibility, use the following calculations:

- a. Add total value of all assets = total asset value
- b. Add total income from all assets = total asset income
- c. If total asset value is less than \$5,000, use total asset income in determining total annual income
- d. If total asset value is \$5,000, or more, use the larger of the following:
 - (i) total asset value multiplied by the passbook rate established by the HA's HUD field office.
 - (ii) total asset income.

4. Asset Verification Guide.

- a. *Savings and Checking Accounts, Certificates of Deposit, IRA and KEOGH Accounts:* Statement from the financial institution containing the following:
 - (i) date prepared
 - (ii) account number
 - (iii) account balance
 - (iv) interest rate (if the rate is variable, statement must give current applicable rate)
 - (v) name of the account holder(s)
 - (vi) signature of authorized person
- b. *Stocks:* A statement from a broker or a statement from the issuing corporation containing the following information:
 - (i) date prepared

- (ii) account number
 - (iii) number of shares
 - (iv) current per share value or current total value of shares
 - (v) amount of dividends earned
 - (vi) frequency of payment of dividends
 - (vii) name(s) of shareholders
 - (viii) if a statement from broker, authorized signature
- c. *Bonds:* A copy of the face of the bond showing the following information:
- (i) face value
 - (ii) maturity date
 - (iii) interest rate (if any)
 - (iv) type of bond
- d. *Trusts:* Client must provide a copy of the trust document or a statement from the trust officer containing the following information:
- (i) amount of trust
 - (ii) type of trust (revocable or irrevocable)
 - (iii) annual proceeds of trust
 - (iv) beneficiary of trust
 - (v) if statement from trust officer
 - date prepared
 - authorized signature
- NOTE:** Due to type of verification required, the following forms of verification shall be provided by the client.
- e. *Notes and Mortgages Held:* (This is where the client receives payments.) The client must provide a copy of the note or mortgage containing the following information:
- (i) date of transaction

- (ii) amount of transaction
 - (iii) balance owing
 - (iv) amount of payments reflecting the distribution between principal and interest (repayment of principal amount is not considered income)
 - (v) frequency of payments
 - (vi) interest rate
 - (vii) name of person(s) holding the note of mortgage
- f. *Real Property Owned: (Includes Mobile Homes):*
- (i) Client must provide a current appraisal or current market analysis prepared by a licensed real estate agent, broker, or mobile home dealer containing the following information:
 - date prepared
 - current market value of the property
 - authorized signature
 - (ii) Copy of the deed or other title instrument showing the name(s) of the owner(s).
 - (iii) If property is mortgaged, a statement from mortgagor(s) showing:
 - balance
 - amount of payments reflecting distribution between interest and principal
 - frequency of payments
 - (iv) For income-producing property:
 - (a) Copy of lease or rental agreements containing the following information:
 - term
 - amount of payments
 - frequency of payment
 - (b) Copy of rental income schedule from income tax return or copy of property tax statement. This

information will be used to determine allowable expenses.

C. Allowances

The following allowances are amounts, as applicable, to be subtracted from the annual income to determine the adjusted income.

1. Dependent Allowance. A \$480 deduction for any family member (excluding foster children, head of household, or spouse) who qualifies as one of the following:
 - a. Under 18 (Even if they have children of their own), or
 - b. Disabled, or
 - c. A full-time student. (The regulations clarify that an educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.
2. Elderly Household Allowance. A \$400 deduction for families in which the head of household or spouse is at least 62 or disabled. Only one deduction per family is permitted even if both the head of household and spouse are elderly.
3. Child Care Allowance. Any reasonable child care related expense billed by a care facility or private individual providing child care (only those amounts not reimbursed by an agency or individual outside the family can be counted). This deduction applies to expenses relating to the care of any children under the age of 13 residing with the family. Such care must be NECESSARY for a family member to be gainfully employed, to actively search for employment or to further his/her education. Child care for the convenience of the family is not an allowable expense. For example, if there is an adult family member, who is capable and available to provide child care residing with the family, who chooses not to care for the child, child care expenses are not deductible. The deduction for child care expenses may not exceed the amount of income earned.
4. Disability Assistance Allowance.
 - a. Anticipated expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if such expenses:
 - (i) are needed to enable a family member (including the disabled member) to be employed, and
 - (ii) exceed three percent of annual income, and
 - (iii) the amount exceeding three percent does not exceed the earned income of the household member enabled to work.

- b. Any family with a disabled family member may qualify for this allowance even if neither the head of household nor spouse is disabled.
- c. Auxiliary apparatus includes items such as wheelchairs, ramps, adaptations to vehicles, special equipment to enable a blind person to read or type, etc., which directly relates to permitting the disabled person or other family member to work.

(i) Example

Head	36	Earned Income \$12,000
Spouse	35	Earned Income \$10,000
Son	15	Disabled

Disabled Expenses for care of disabled son \$3,500

Disabled Assistance Allowance:

Annual Income	\$22,000
	<u>x .03</u>
.3% of Annual Income	\$ 660

Total Disability Assistance Expense	\$ 3,500
	<u>660</u>

<u>Allowable</u> Disability Expense	\$ 2,840
--	----------

(Note: \$2,840 allowable expense is not greater than amount earned by spouse who is enabled to work.)

- d. When a care provider takes care of children under the age of 13 and a disabled member 13 or older, expenses must be prorated appropriately since the way in which child care and disability assistance expenses are computed differ.
- e. A family, whose head of household or spouse is elderly or disabled, is also permitted to deduct medical expenses. If a family has both disability assistance and medical expenses, a special calculation is required.

5. Medical Expense Allowance.

Medical expense deductions are allowed only for families where the head of household or spouse is at least 62 or disabled. If the family is eligible for a medical expense deduction:

- a. Count medical expenses of all family members, and,

- b. Include expenses that are not covered by insurance or other sources and that are anticipated to be incurred during the 12 months following the family's examination/re-examination, such as:
- (i) Services of doctors and health care professionals
 - (ii) Services of health care facilities
 - (iii) Medical insurance premiums
 - (iv) Prescription/non-prescription medicines
 - (v) Transportation to and from treatment facilities
 - (vi) Dental expenses
 - (vii) Eyeglasses, hearing aids, batteries
 - (viii) Live-in attendant or periodic medical assistance
 - (ix) Monthly payment(s) on accumulated medical bills
 - (x) Medical care of a permanently confined family member if his/her income is included in annual income.

- c. Allow only that portion of the total medical expenses which exceeds three percent of annual income:

(i) Example

Head of Household	64	
Spouse	63	
Annual Income		\$12,000
Total Medical Expenses		\$ 1,500
Annual Income		12,000
		x .03
3% of Annual Income		360
Total Expenses		\$ 1,500
Minus 3% of Annual Income		- 360
Allowable Medical Expense		\$ 1,140

- d. If an elderly family has both disability assistance and medical expenses a special calculation is required. The HA will follow steps outlined by form HUD 50058.

- (i) Example 1: Family has \$1,000 in medical expenses and \$500 in expenses for disability assistance. Annual income is \$20,000. \$4,000 of annual income is earned because it

enables a family member to work. Three percent of annual income is \$600.

Total Disability Assistance Expense	\$ 500
Minus 3% of Annual Income	<u>\$ 600</u>
	(100)

Disability Allowance	000
----------------------	-----

Total Medical Expense	\$1,000
Minus: Balance of 3% of Annual Income	<u>\$ -100</u>

Allowable Medical Expense:	\$ 900
----------------------------	--------

- (ii) Example 2: Family has \$2,000 in medical expenses and \$3,500 in expenses for disability assistance. Annual income is \$20,000. \$2,400 of annual income is earned because the disability assistance enables a family member to work. Three percent of annual income is \$600.

Total Disability Assistance Expense	\$3,500
Minus 3% of Annual Income	<u>- 600</u>
	\$2,900

Maximum Allowance for Disability Assistance (cannot exceed income generated)	\$2,400
---	---------

Total Medical Expense	\$2,000
-----------------------	---------

Allowable Medical Expense (Entire 3% was deducted to compute the disability allowance)	\$2,000
---	---------

6. Income Disallowance for the Disabled

1. Disabled person can be on SSI or SSDI or have no benefits, only a doctor's statement verifying they are disabled.
2. This regulation does not apply to New Admissions. Does not apply even if voucher holder increases their income before they are admitted to the program. Will apply if their income increases after they are admitted to Section 8.
3. Exclusion from Annual Income for qualified disabled families:

a) Qualified family:

- A disabled family whose annual income increases as a result of employment of a family member who is a person with disabilities

and who was previously unemployed (*see definition below) for one or more years prior to employment;

- Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- Whose annual income increases as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needed families funded Part A of Title IV of the Social Security Act.

a) Disallowance of increase in annual income:

- During the cumulative twelve-month period once the family member is employed or experiences an increase attributable to employment, the full amount of the increase is excluded from annual income.
- During the second cumulative twelve-month period, fifty percent of any increase is excluded from annual income.
- Lifetime 48 month disallowance (starting from the initial exclusion) for 12 months under each disallowance (full disregard and 50% phase in)
- **Definition of previously unemployed:** a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

PROCEDURES TO FOLLOW WHEN A TENANT REPORTS A CHANGE OF INCOME AT RENEWAL OR DURING LEASE TERM:

1. Check file to see if they are a disabled family.
2. Review if any income increases were done after April 20, 2001. If so, determine if they would have been eligible for the income disallowance. If you can answer “yes” proceed to recalculate their rent using these new regulations and notify them of any overpayment in rent we charged them and request a check be issued to them for the overpayment.
3. Ask them the above questions under “Disallowance Of Increase In Annual Income” regarding their change in income.
4. If they answer yes then you will need to verify it with third party verification.
5. Start of 12 months at 100% disallowance will be the date of hire or if already working, the date their wages increased.
6. Since we do not do increases we will still process this change to show the disallowance, track the dates, and do a 50058.

7. At the next renewal you will have to calculate how many months are left at 100% and then do Amendment for balance of year at 50% disallowance.
8. When the 50% income disallowance starts you will need to do another 50058 and when it ends do another 50058.
9. At the second renewal you will calculate number of months left at 50% and do Amendment to show when rent will change counting all the income.
10. Front of files will need to be marked in black marker showing they are under the "Income Disallowance for the Disabled". Show the date you started the 100% disallowance and the date for the 50% disallowance and also they dates the 12 months are up for each one-year period. If they start and stop employment you will have several dates showing for start and stop.
11. Remember this cannot go over a **48-month period**.
12. FSS - families will no longer have the option of increasing their rent for escrow if they qualify for this disallowance. Rewrite their goals and give them the opportunity to learn money management skills by starting their own savings account for the difference in rent they are saving. The only difference in this is that they will be responsible for the savings, not us.

SECTION VI

COMPUTING TOTAL TENANT PAYMENT AND TENANT RENT

A. Calculation of Total Tenant Payment and HAP Maximum Subsidy

The HA will compute Annual and Adjusted Income and Total Tenant Payment.

1. Section 8 Project-Based Certificate.

Section 8 Project-Based Certificate Program, Total Tenant Payment, will be calculated (using the definitions of annual income and adjustments as the greater of:

- a. 30% of the family's adjusted monthly income,
- b. 10% of the gross monthly family income, or
- c. Minimum rent of \$25.00.

Any allowance for utilities will be deducted from the Total Tenant Payment to determine the Tenant Rent. Where the Utility Allowance exceeds the Total Tenant Payment, the tenant will pay \$0 rent and the difference between the utility allowance and the Total Tenant Payment will be issued to the tenant as a Utility Reimbursement for use towards utilities.

The Housing Assistance Payment paid by the HA will be the difference between the Contract Rent to the owner and the Tenant Rent (plus any Utility Reimbursement).

2. Section 8 Voucher Program.

Under the Voucher program, the Tenant Rent will vary based upon the Total Tenant Payment and the Contract Rent and its relationship to the Payment Standards.

At the time of the briefing, the HA's Maximum Subsidy Payment is calculated. The Maximum Subsidy is the difference between the HA's applicable Payment Standard for the unit size issued and 30% of the family's adjusted income. This is the maximum that the HA will pay as subsidy for the household.

Once the unit is selected, the family's portion of the rent is calculated as the difference between the gross rent (Contract Rent plus utilities) and the *appropriate* Payment Standard. The appropriate Payment Standard

is the lesser of the standard for the unit size issued, or the unit size selected. The tenant's portion may be more or less than 30% of the family's monthly adjusted income depending on the total rent of the unit selected by the family, except that the family may never pay less than the greater of 10% of monthly gross family income or \$25.

The Housing Assistance Payment will equal the difference between the Payment Standard and 30% of the family's monthly adjusted income, except that the family must pay the greater of 10% of gross family income or \$25.00(minimum rent amount). In that case, the HA will pay the difference between the Contract Rent and what the tenant pays to the owner as the Housing Assistance Payment.

3. In the Housing Choice Voucher Program the monthly assistance payment for a family that rents for a gross rent below the payment standard for the family is the gross rent minus the total tenant payment (TTP), as computed by a statutory formula. The PHA approves a tenancy for initial occupancy of a dwelling unit by a family with tenant-based assistance under the program, and where the gross rent of the unit exceeds the applicable payment standard for the family, the family share must not exceed 40% of the family's adjusted monthly income. The determination of adjusted monthly income must be based on verification information received by the PHA no earlier than 60 days before the PHA issues a voucher to the family.

B. Utility Allowance

The utility allowance used is based on the actual size of the unit the family selects regardless of the size authorized on the family's Certificate or Voucher.

As required, the Utility Allowance Schedule will be reviewed on an annual basis and adjusted as needed.

At least annually, the HA shall determine whether there has been a substantial change in utility rates that were used to calculate allowances. If there has been a change of more than 10% individually or cumulatively, the utility allowance will be adjusted to reflect such increases. Such change shall be processed according to federal regulations.

The HA will give tenants a utility allowance for stoves and refrigerators when these appliances are provided by the tenant. The determination regarding provision of appliances is between the landlord and the tenant; the HA will not be involved.

C. Payment Standards

1. At least annually the HA will review and when necessary, revise Payment Standards between 90% and 110% of the published Fair Market Rent. Copies of Payment Standards currently utilized may be obtained from the HA.
2. Mobile Home Pads Payment Standards – 40% of the two bedroom published FMR used in calculating the subsidy amount.

D. Minimum Rent Hardships

Any family unable to pay the Minimum Rent of \$25.00 due to extenuating circumstances listed below may request in writing from the HA a waiver on this. Extenuating circumstances may include the following:

1. Hospitalization
2. Decrease of income
3. Extended illness
4. Other circumstances as determined by HA

Family must request waiver in writing and written verification must be obtained to determine circumstance. If HA determines waiver is justified, the HA will adjust the family's rent share and pay the additional HAP amount to the landlord effective the month waiver was requested.

SECTION VII

SUBSIDY STANDARDS

A. Bedroom Size Assignment

Bedroom size assignments on certificates/vouchers will be made so that no less than one (1) and no more than two (2) persons will occupy a bedroom. No assignments of bedroom size on a Certificate/Voucher will be made which require use of the living room for sleeping.

In the case of a participant who shares custody of a child (or children), or has primary care, the child shall be included when considering the assignment of bedroom size.

The following subsidy standards will determine the number of bedrooms required in determining certificate/voucher size.

Single Person	0 bedroom
Single Person	1 bedroom
1 Parent and 1 Child under age 4	1 bedroom
1 Parent and 1 Child over age 4	2 bedroom
1 Parent and 2 Children, opposite sex	3 bedroom
1 Parent and 2 Children, same sex	2 bedroom
2 Parent and 1 Child	2 bedroom
2 Parent and 2 Children, opposite sex	3 bedroom
2 parents and 3 children	3 bedroom

A separate bedroom may be provided for an individual family member if the family presents documentation sufficient to convince the HA that the individual's physical or mental health requires separate sleeping quarters. This will be in the form of written documentation from the family's physician, psychiatrist, or medical-social worker.

SECTION VIII

ISSUANCE OF CERTIFICATES/VOUCHERS AND BRIEFING OF FAMILIES

A. Selection from the Waiting List

Applicants are selected from the waiting list based on date and time application is submitted and verified qualification for preference. If federal preferences are re-instated, the HA will select applicants when preference status has been verified.

B. Notification and Response

Once an applicant's program eligibility and qualification for Preference has been verified; the family's annual income and TTP has been calculated; and the subsidy size has been determined, the family will be informed, in writing of their eligibility status. All eligible applicants are required to attend a briefing at which the family will be issued the Voucher and will be provided with a detailed overview of the Section 8 Program. The program briefing may be group or individual.

If an applicant fails to appear, without prior explanation to the HA, for a scheduled appointment to receive a briefing and a voucher, such failure shall result in removal from the waiting list and the person may reapply, provided that applications are being accepted at that time.

C. Briefings

1. Briefing Packets.

- a. At the family briefing, the family will receive a Section 8 Housing Voucher briefing packet which will include explanations of applicant and owner responsibilities under the programs.

The briefing packet shall contain:

- (i) Term of Voucher, a description of the HA's Voucher extension or suspension policies and how to request them.
- (ii) How HAP is determined.
- (iii) How maximum rent is determined.
- (iv) What family should consider when deciding whether to lease a unit, such as: unit condition; reasonableness of rent, cost of tenant paid utilities; whether the unit is energy efficient; and proximity of unit to public transportation, employment, schools and shopping.

- (v) Where family may lease a unit, including information on portability.
- (vi) HUD required "lease addendum".
- (vii) Request for Tenancy Approval, explanation of how to request approval to lease a unit., and Sample Disclosure on lead based paint.
- (viii) HA policy on providing information about family to prospective owners.
- (ix) The HA's subsidy standards, including any exceptions to these standards.
- (x) HUD brochure entitled "A Good Place to Live".
- (xi) HUD Lead Based Paint brochure.
- (xii) Fair Housing Brochure and information, HUD-401 and a Discrimination Complaint Form HUD-903.
- (xiii) List of landlords or real estate agents who may be willing to lease a unit or may be able to help the family locate a unit.
- (xiv) Notice that if family includes a disabled person they may request a current listing of available accessible units known to the HA.
- (xv) Family Obligations under the Section 8 program.
- (xvi) Grounds on which the HA may terminate assistance.
- (xvii) Informal hearing procedures.
- (xviii) The HA's policy on providing information to owners about a participant's tenancy history.
- (xix) Information regarding the Family Self-Sufficiency Program.
- (xx) Additional information as determined by the HA.

2. Briefing Session.

- a. The briefing session will be informal with the opportunity for the applicants to ask questions to ensure that they have an adequate understanding of the program and procedures to be followed.
- b. Briefing session topics will include:
 - (i) Description of how the program works.

- (ii) Family and owner responsibilities.
 - (iii) Where the family may lease a unit, including renting a dwelling unit inside or outside the HA's jurisdiction.
 - (iv) Portability.
 - (v) Advantages of moving to an area that does not have a high concentration of poor families.
 - (vi) Description of the Family Self-Sufficiency program and an explanation of how to apply.
- c. The family will be notified that they must report any changes in family composition and/or income during the period between issuance of the Voucher and execution of the HAP/Voucher Contract. The HA will follow up as necessary before execution of lease and contract.

D. Voucher Suspensions Extensions

1. Suspensions. The Voucher shall expire at the end of 120 days unless within that time the family submits a Request for Tenancy Approval (RFTA), at which time a "suspension" may occur. (The time between the date the RFTA is submitted and the date the HA determines whether to lease or deny the RFTA is not counted against the Voucher time limit.)
2. Extensions. If a Voucher expires or is about to expire, a family may submit the Voucher to the HA with a written request for an extension. The applicant must present evidence justifying the extension which is satisfactory to the HA. Written documentation including unit addresses, property owners contacted and the reasons why the unit was not selected may be used to justify the extension. If the family is unable to locate a unit due to circumstances beyond the family's control (such as, for example, extreme illness, death, birth of a child), the HA may issue an extension. Length of extension will be determined by the HA based upon the circumstances.

SECTION IX

UNIT SELECTION AND APPROVAL

A. Locating a Unit

It is the responsibility of the Voucher holder to locate a unit suitable to the holder's needs and desires.

The holder of a Voucher may select the dwelling unit which the holder already occupies if the unit meets program qualifications.

Information regarding landlords interested in participating in the program will be offered to the Voucher holder. Voucher holders will be encouraged to locate their own housing, but will also be informed that they should periodically contact the HA staff in order to report their progress or request any new information regarding available units. Owners who have committed "fraud, bribery or any other corrupt or criminal act" in connection with a federal housing program may be denied. Owners may be denied participation for reasons listed under item "G" of this Section.

Whenever possible, staff will provide a list of accessible units known to the HA and assistance in locating a dwelling unit to those families who, because of age or disability, are unable to find suitable units.

To those applicants reporting apparent discrimination, assistance will be provided in preparing the required HUD Discrimination Complaint Form and in locating available housing elsewhere.

If a Voucher holder elects to move to a different jurisdiction, they must follow HUD's portability guidelines.

B. Portability

Portability is the ability of a family issued a Voucher, to move anywhere within the State of Iowa or anywhere in the United States where a tenant-based program is administered.

If neither household head or spouse resided in permanent housing in the jurisdiction of the HA at the time of application, the family must lease a unit in the HA jurisdiction for one year before becoming eligible for portability.

If a family's initial lease is outside the jurisdiction of the HA, they must be income eligible for the area in which they will lease.

The receiving HA may offer to absorb families from another HA into their local Voucher Program, according to availability and eligibility.

The amount of housing assistance shall be based on the applicable Payment Standard in effect at the receiving HA at the time the Voucher is received.

The receiving HA will promptly notify the initial HA if the family has submitted a Request for Lease Approval, whether they will absorb or administer the Voucher, if the family ceases to be a current participant in the initial HA's Voucher Program, or has requested to move to another HA jurisdiction.

The receiving HA will perform all functions normally associated with providing assistance to a family in the Voucher Program, including determining unit size, lease approval, annual re-examination of income, annual inspection of the unit to meet Housing Quality Standards, and executing the HAP Contract. If the receiving HA does not absorb the family into its program, they will bill the initial HA for the Housing Assistance Payment on behalf of the family. The receiving HA will be eligible to receive 80% of administrative fees, and all hard-to-house fees associated with the portable Voucher being administered. The initial and receiving HAs must comply with financial procedures and billing and payment deadlines required by HUD. The first bill must be sent from the receiving HA to the initial HA within six (6) months from the date the initial HA issued the Voucher to the family.

If the family selects an area where more than one Housing Authority may have jurisdiction, then the HA may select which Housing Authority in the new area shall be the receiver.

C. Applicant Flexibility on Unit Size Selection

It is emphasized that the unit size listed on the applicant's Voucher does not preclude the family from selecting either a smaller or larger-sized unit provided the following requirements are met:

1. Larger-Sized Units.

Voucher: The family may select a larger-sized unit than listed on its Voucher. The family will be required to pay any additional cost for the larger size unit. The family cannot pay more than 40% of their monthly adjusted income towards the gross rent.

2. Smaller-Sized Units.

The family may select a smaller-sized unit provided there is at least one sleeping room or living/sleeping room of appropriate size for each two persons in the household. The applicable Voucher Payment Standard will be that of the smaller unit size, which will lower the rent subsidy paid by the Housing Authority.

D. Eligible and Ineligible Housing Units

1. Eligible Units.

- a. The types of housing units that are eligible for the Voucher Programs are: apartments, single family homes, townhouses, duplexes, four-plexes, mobile homes, and assisted living units.

- b. Owners of manufactured homes can obtain housing assistance to rent mobile home pads.
- c. Single Room Occupancy (SRO) Housing is eligible for assistance on the Certificate/Voucher Program if:
 - (i) The property is located in an area where there is significant demand for SRO units (as determined by HUD),
 - (ii) The HA approves the use of SRO units for such purposes,
 - (iii) The HA certifies to HUD that the property meets applicable local health and safety standards for SRO housing.
- d. Some units or developments sponsored by the FMHA may be eligible for residency by a certificate/voucher holder if occupancy does not create a situation of duplicate subsidy.

2. Ineligible Units.

- a. Any Public Housing or Indian Housing unit.
- b. Units in which the family is being assisted under other Section 8 subsidy programs.
- c. Nursing homes, board and care homes, or facilities providing continual psychiatric, medical or nursing services.
- d. Colleges or other school dormitories.
- e. Units on the grounds of penal, reformatory, medical, mental and similar public or private institutions.
- f. Housing owned in whole or in part, by the family to be assisted.
- h. Units that are owned by landlords that have been barred from participating in the program.
- i. The owner (including a principal or other interested party) is the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the HA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities.

E. Information Provided to Prospective Landlords About Participants

The HA will provide the following information about program participants to prospective landlords, if requested:

- a. current address; and
- b. if known, name and address of owner of participant's current and prior address.
- c. information about family owing HA money.

The HA will inform all property owners interested in participating in the Section 8 Program that tenant screening for payment and other lease compliance behavior is the owner's responsibility, and is not performed by the HA.

The HA may offer the owner other information in the HA's possession about the family including information about the tenancy history of family members or about drug trafficking by family member. The same types of information will be provided to all families and all owners.

F. Security Deposits

Property owners have the right to request security deposits from Section 8 tenants. Security deposits collected by owners cannot be in excess of private market practice. Security deposits cannot be in excess of what is allowable under the Iowa State Tenant-Landlord Law or in excess of the amounts charged by owners to unassisted rental units.

It is the family's responsibility to pay the security deposit to the owner. The HA will not provide advances to assist families in meeting security deposits, but will provide assistance by referring the family to other potential private or public sources if the family is unable to pay their security deposit.

After the family moves from the unit, the owner must treat the deposit in accordance with State law. The owner may use the security deposit, including interest earned, as reimbursement for any unpaid Tenant Rent, damages to the unit, or other amounts which the family owes under the lease. The owner must give the family a written statement listing all items charged against the security deposit and the amount charged for each item. It is the responsibility of the owner/landlord to notify the tenant of the move-out inspection. After deducting the amount used as reimbursement, the owner must promptly refund the full amount of the balance to the family. Any interest earned on a rental deposit during the first five years of a tenancy shall become property of the landlord. The family must provide a forwarding address or delivery instructions to the landlord upon move out. If the family fails to provide a forwarding address within one year from the termination of the tenancy, the rental deposit shall revert to the landlord and the tenant will be deemed to have forfeited all rights to the rental deposit.

For the pre-9/95 Section 8 Certificate/Voucher contracts and Moderate Rehabilitation Units: If at the time of initial execution of the lease the owner wishes to collect a security deposit, the maximum amount shall be the greater of one month's Total Tenant Payment or \$50. However, this amount shall not exceed the maximum amount allowance under Iowa state law--two months' rent.

G. Approval of Property Owner

The HA will not approve a unit if any one of the following conditions exists:

1. The owner is debarred, suspended or subject to a limited denial of participation by HUD.
2. If directed by HUD because the Federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other Federal equal opportunity requirements and such action is pending.
3. If directed by HUD because a court or administrative agency has determined that the owner has violated the Fair Housing Act or other Federal equal opportunity requirements.
4. The HA, at its discretion, may deny participation for a period of five (5) years to an owner if any one of the following conditions exists:
 - a. The owner has violated obligations under any Section 8 HAP contract;
 - b. The HA has obtained documentation that the owner has committed fraud, bribery or any other corrupt or criminal action in connection with any Federal housing program;
 - c. The owner has engaged in drug trafficking and/or violent criminal activity;
 - d. The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other Federal housing program;
 - e. The owner has a history or practice of renting units that fail to meet state or local housing codes; *or*
 - f. The owner has not paid state or local real estate taxes, fines or assessments.

The individual circumstances and seriousness of such conditions will be considered prior to disapproval of an owner.

If the HA determines that the owner is approved and that the lease does not violate any program rules, the lease may be approved. If the lease cannot be approved, the owner and subsidy holder will be notified and provided with the reason and an opportunity to correct any deficiencies.

H. Approval of Owner's Proposed Lease

2. The HA may adopt a model lease for the Section 8 Voucher program, however owners may elect to use their own lease. For any new tenants leasing on or after October 2, 1995, all leases must include the Section 8 lease addendum language verbatim. If the owner selects his/her own lease, the Voucher holder must submit a copy for review at the time the RFTA is submitted. The HA will review all leases proposed by property owners to ensure that:

Lease Form:

3. Must be standard form used by owner for unassisted tenants
4. Owners may choose to use HA lease if owner has no standard lease form
5. Lease must comply with State/local law and include HUD Tenancy Addendum

Required Lease Information:

6. Names of the owner and the tenant
7. Unit address and apartment number
8. Amount of monthly rent
9. Term of lease and provisions for renewal
10. Utilities and appliances to be supplied by the owner and the family

Lease Term:

11. Initial lease term for one year, except
12. HA may approve shorter initial lease term if:
 - a. Would improve housing opportunities AND
 - b. Shorter term is current market practice

Changes in Lease:

13. Any changes to lease must be agreed upon by owner and tenant
14. Changes must be in writing
15. Owner must immediately give copy of changes to HA

I. Rent Reasonableness.

Rent reasonableness will be determined for Voucher holders at initial lease up and each annual certification thereafter. Documentation of reasonable rent will be included in each participant's file signed and dated by the staff member responsible for determination. The

reasonableness of the rent requested by the owner will be determined on the basis of:

- a. HA market survey information on rents for comparable units in the area;
16. Location, quality, size, unit type, and age of the contract unit.
17. Amenities, housing services, maintenance, and utilities to be provided by the owner in accordance with the lease.
18. The rent to owner must be no more than rent charged by owner for comparable unassisted units on the premises

The HA will collect and maintain substantial data to determine and support rent reasonableness for all program rents. Data will be purged and updated regularly by Section 8 staff.

If the HA determines that the amount of rent requested by the owner is not reasonable, a reasonable rent will be computed, and a counter-offer will be made to the owner. Failure by the owner to lower the rent will result in disapproval of the unit for the program.

J. Housing Quality Standards Inspections

1. Inspection Procedures.

When a family selects a unit and submits a Request for Tenancy Approval, the HA will inspect the unit for compliance with HQS. Within 3 business days of the receipt of the RFTA, the inspector will schedule an inspection. The inspection will be conducted within 15 days, unless the unit is unavailable for inspection.

The HA will use an approved HUD Housing Quality Standards (HQS) inspection form. The inspection form is maintained in the tenant file. Copies may be sent to both the owner and the tenant on request. In the case of any "fail" items, a re-inspection is completed prior to approval of any lease. In the case of any "inconclusive items," further documentation of the acceptability of the items will be required, or a re-inspection will be completed to confirm acceptability of the unit.

The various types of inspections include: annual, move-in, move-out, complaint and special. The HA will inspect each dwelling unit leased to an eligible family at least annually and at such other times as may be necessary to insure that the owner is maintaining the unit in accordance with HQS and is providing the agreed upon utilities and other services. The annual inspection will be performed in conjunction with the annual re-examination of family circumstances.

The HA encourages that both the owner and tenant are present during inspections. The HA will notify the landlord and/or tenant informing

them of the inspection date and time. The landlord is responsible for notifying the tenant of the date and time of the move-out inspection.

When a unit fails the HQS inspection, the HA will notify the owner of the failed item(s) and the required time to repair (24 hours for emergency items, 30 days for other non-emergency items). If the owner fails to take corrective action within the time prescribed in the notice, the HA may exercise any of its rights or remedies under the contract, including abatement of Housing Assistance Payments (even if the family continues in occupancy) and termination of the contract. If the family wishes to be re-housed in another dwelling unit with Section 8 assistance and the HA decides to terminate the Housing Assistance Payments Contract, the HA shall issue to the family another Voucher.

A family's assistance may be terminated if the family has breached its responsibilities under the program and is responsible for HQS failure for the following reasons: failure to pay for tenant supplied utilities and services; failure to provide and maintain tenant-supplied appliances, or; damages caused by tenants, guests or family members.

The HA will attempt to obtain annually from local health agencies the names and addresses of children with identified elevated blood levels (EBLs) and match this information with the names and addresses of participants. If a match occurs, the HA will determine whether local health officials have tested the unit for lead-based paint. If the unit has lead-based paint the owner will be required to treat the lead-based paint. If corrective action is not taken the family will be issued a Voucher to move. Copies of the inspection reports will be kept for a period of three (3) years.

2. Quality Control Procedures.

In order to ensure that the inspections are adhering to HQS, and are providing consistent determinations, a random sample of approximately five percent of the approved units are reinspected by housing supervisory personnel. If inconsistencies are found a larger sample will be used and additional training provided.

SECTION X

HOUSING ASSISTANCE PAYMENTS CONTRACT

A. HAP Contract Execution

1. Once the owner, lease (if owner elects to use his/her own lease), and unit are approved, and a reasonable rent negotiated, the HA will enter into a HAP contract.

The HAP contract is a contract between the HA and the owner and provides for the HA to make monthly payments to the owner for a specific family in a specific unit. The term of the contract runs concurrently with the lease term. The HAP contract terminates if the lease terminates. No payments may be made after the family moves out or the lease term ends.

HAP contract HUD 52530A will be used for the Section 8 project-based program and the current HUD Voucher HAP contract will be used.

2. Current owners under the HA's Section 8 program may continue to use the old HAP contract for current participants until the owner decides to revise the lease, the tenant moves, or the owner agrees to sign the new contract.

The family is not responsible for the HAP payment and cannot be charged late fees if the HA pays late. However, the Conforming Rule, effective October 2, 1995, permits a HA to be charged late fees in accordance with state/local laws. The HA may pay for late fees from administrative fee income or reserves.

3. Once the leasing/contract documents are prepared, HA staff will meet with the owner and family (preferably together) to review documents. (If the landlord is unable to meet in person, the HA can mail the documents to the landlord.) In addition to reviewing the specific terms of the HAP contract and lease, staff will explain:
 - a. Owner requirements to maintain the unit, allow inspections, and inform the HA if the tenant vacates without notice.
 - b. Tenant requirements to pay rent, maintain the unit, allow inspections, cooperate with the HA's recertification requirements, and notify the HA when the family wishes to move.
4. The HA will make their best effort to sign all HAP contracts before lease terms start and will ensure that all contracts are executed within 60 days after the beginning of the lease term.
 - a. If the HAP contract was signed within the 60 day period after the lease term started, housing assistance payments may be made retroactive to the beginning of the lease term.

- b. If the HAP contract was executed more than 60 days following the beginning of the lease term, the contract is void and no housing assistance payments may be made to the owner.
- 5. A new HAP contract will be required for new leases, and for revised leases as follows: In the following cases, tenant based assistance shall not be continued unless the PHA has approved a new tenancy in accordance with program requirements and has executed a new HAP contract with the owner:
 - a. If there are any changes in lease requirements governing tenant or owner responsibilities for utilities or appliances;
 - b. If there are any changes in lease provisions governing the term of the lease;
 - c. If the family moves to a new unit, even if the unit is in the same building or complex.

B. Payments to Owners

Housing Assistance Payment, (the difference between the contract rent and the portion of the rent payable by the family) shall be paid to the owner in accordance with the contract.

No payments will be made on behalf of an assisted family until the lease and the Housing Assistance Payments Contract have been signed by all appropriate parties.

The HA will maintain an internal control system which will ensure the accurate posting and tracking of Housing Assistance Payments to owners.

C. Contract Rent Adjustments – Project-Based Certificate Program

- 1. Before the initial contract is executed, owners are informed of program regulations regarding both annual adjustments and special adjustments. They are also made aware of the HA's review process regarding contract rent adjustments.
 - a. Upon receipt of an owner's request for an Annual Rent Adjustment, the following will be reviewed:
 - (i) The limitation of the appropriate Annual Adjustment Factor.
 - (ii) The timeliness of the owner's request. Requests for rent increases must be submitted in writing no less than sixty (60) days before the effective date of contract expiration.
 - (iii) The current Housing Quality Standards inspection.

- (iv) The reasonableness of the requested rent in respect to property improvements completed.
- (v) Ongoing property maintenance.

For the Certificate Program, any adjustment cannot exceed the amount determined to be reasonable under rent reasonableness comparability. Authorization is required for all rent increases. The HA must implement annual contract rent increases effect the later of:

- (i) The anniversary date of the HAP contract, or
 - (ii) The first day of the month following the owner's request for an increase.
- b. Annual Adjustment to rents for assisted units will be limited to the lesser of:
- (i) The maximum amount allowable by application of the Annual Adjustment Factor, or
 - (ii) The amount determined to be Rent Reasonable, or
 - (iii) The rent charged for comparable unassisted units owned by the same owner.

D. Contract Rent Adjustment - Voucher Program

The Contract Rent may not be increased during the first year of the lease. After the initial year, owners may request an annual increase at any time, but must provide 60 days written notice of any proposed increase to the family, in accordance with the lease and contract, and to the HA. The increase will not be approved unless the increased rent meets rent reasonableness requirements.

Families who wish to move because of the owner's rent increase will be required to give the owner proper notice and notify the HA at least sixty (60) days in advance.

E. Rent Abatement and Contract Termination for HQS Violations

When an owner fails to correct cited repairs within the specified time frame, housing assistance payments will be abated at the end of the month in which the failed re-inspection occurred, and will continue until such time when:

1. The owner corrects the deficiencies, in which case the housing assistance payments may be resumed as of that date; or

2. The HAP contract expires or is terminated.

The HA will not resume HAP payments until the owner has corrected the deficiencies. No retroactive payments will be made for the period during which the rent abatement occurred. When the deficiencies are corrected, however, a prorated housing assistance payment may be provided to the owner for the period commencing with the date a HA inspector certified the required work was completed.

The HA will send the owner advance written notification, in accordance with the HAP contract, when the HA plans to abate payments. The HA will also notify the family of this action and apprise the family of its responsibility, based on applicable State or local law, for the payment of the tenant share of rent to the owner.

The HA will terminate HAP contracts which are under abatement at the earlier of: a) the month the family living in the unit has moved, or b) six months after the last payment was made.

HAP contracts will be terminated immediately, without application of the rent abatement process described above, in cases of owner failure to repair life-threatening conditions within the required 24 hour time period. This applies only to cases in which the owner is responsible for the situation not when the tenant has caused the violation. Life-threatening conditions include but are not limited to:

- a. No heat between October 1 and May 1.
- b. No electricity.
- c. No gas.
- d. No running water.
- e. Natural gas leak or fumes.
- f. Major plumbing leaks or flooding (such as sewer backup or stoppage).
- g. Any electrical outlet, switch, stationary light fixture, fuse box or circuit breaker that smokes, sparks or short circuits, creating a fire hazard.
- h. Broken or missing lock on any dwelling unit doors accessible to the outside of the dwelling unit.
- g. Uninhabitable units due to fire, tornadoes, destroyed or vandalized property that prevent a tenant from using the bathroom or kitchen or from entering the dwelling unit.
- j. No smoke detector or non-working smoke detector.

SECTION XI

ONGOING ACTIVITIES

A. Annual Re-examinations

1. The HA will re-examine the income, assets, expenses and family composition of all families at least annually. Re-examinations determine the participant's monthly TTP and rent to owner (Tenant Rent), eligibility for continued occupancy, and required unit size.

The HA follows all pertinent HUD regulations in its completion of re-examinations. Approximately ninety (90) days prior to the family's re-examination effective date, the family will be notified in writing of a scheduled re-examination interview. If the family fails to keep or reschedule the appointment, the HA may send a notice terminating assistance under the Section 8 program, effective on the family's re-examination effective date.

Employment and income data, family members, assets, full-time student status, medical expenses (elderly families only), child care expense, and disabled assistance expenses will be verified, documented and placed in the participant's folder.

Third party written verifications are the preferred kind of verifications. However, oral third party verifications are acceptable, if properly documented. When such documents cannot be photocopied, Housing Authority staff will sign a statement confirming that the verification documents were viewed by recording the document source, date, time, amount, etc. All verifications will be maintained in the participant's folder.

Verified information will be analyzed to determine TTP and the appropriate unit size.

2. Tenants requiring larger or smaller units are issued a Voucher for the appropriate bedroom size dwelling unit at the annual re-examination, or at such other times necessary, depending on availability. However, if the family size exceeds the maximum subsidy standard for continued occupancy, the family must be immediately issued the appropriate size Voucher. The Payment Standard may not be less than the standard previously used, except when the family qualifies for a smaller unit.
3. Tenants whose Total Tenant Payment equals or exceeds the gross rent for their dwelling unit, will be notified of their responsibility for the entire contract rent amount.
 - a. Housing Assistance Payments shall be terminated with proper notice to both the tenant and owner.

- b. Suspension of Housing Assistance Payments shall not affect the tenant's other rights under the lease, nor shall suspension preclude the resumption of payments as a result of loss of income or other relevant circumstances.
 - c. For HAP contracts executed after 9/95, the HA will terminate the contract if six (6) months have passed since the date of the last Housing Assistance Payment. For pre 9/95 HAP contracts the HA will terminate the contract if twelve (12) months have passed since the date of the last Housing Assistance Payment.
- 4. Increases in the participant's portion of the rent to owner (Tenant Rent) will be effective on the scheduled re-examination effective date, with reasonable advance notice (30 days) provided the participant has complied with all reporting requirements. When the participant has failed to do so, the participant's portion will increase retroactive to the re-examination effective date. Retroactive changes in participants rent share will not be made when delays are solely the fault of the Authority or a verification source.
- 5. Decreases in participant's portion of rent shall take effect on the re-examination effective date.

B. Interim Re-examinations

All decreases reported in income which affect rent between the initial admission and re-examination or the next scheduled annual re-examination must be reported no later than the 15th of the month to become effective the first of the following month. The income shall be verified in accordance with above provisions unless the applicant or tenant can provide reliable documentation. All increases in income reported after the first of the month shall not result in an increase in rent until a period between the second month and fourth month following the initial report, contingent upon receiving documentation of any change in benefits that will be effected by the income change. The participant will be given a 30-day notice of rent change when all income verification has been received and processed by the HA.

1. Income/Family Composition Changes.

The resident must report in writing within 10 working days:

- a. All changes in the household composition; and
- b. Any of the following facts which would result in an increase in rent:
 - (i) An increase in per month gross household income that would result in an increase in rent;
 - (ii) Receipt of a deferred payment in a lump sum (such as unemployment benefits).

The resident may report any of the following changes which would result in a decrease in rent:

- a. Decrease in income expected to last at least 60 days; and
 - b. Increase in allowances or deductions.
2. Zero Income. The HA will schedule special re-examinations every 30 days for families reporting \$0 income. Families reporting \$0 income will be required to have all adult household members sign a certification of \$0 income and a release allowing the HA to obtain a certified copy of any tax return submitted to IRS by all adults residing in the household. Failure to comply with these re-examination requirements will be considered grounds for termination of assistance. The HA will review the monthly statement of income and expenses for families reporting zero income.
3. Effective Date of Rent Changes Due to Interim Re-certifications.
- a. For all income decreases, refer to the above Section B, "Interim Determinations".
 - b. For all income increases that result in an increase, the adjustment in rent will be made effective between the second month and fourth month subsequent to the initial notice.
 - c. Tenant and owner will be notified thirty (30) days in advance as to any changes in the Housing Assistance Payment or Tenant Rent.
4. Errors. If an error in Tenant Rent is revealed at any time during the income year, proper adjustment will be made to correct the error as follows:
- a. If the error is the fault of the tenant, and results in the tenant owing additional rent, such rent shall be repaid by the family within a reasonable period of time. Failure to repay may result in termination.
 - b. If the error is not the fault of the tenant and it results in increased Tenant Rent, such rent shall be made effective the first day the change is corrected. If a refund is necessary, because of a decrease in rent, it shall be processed immediately.
 - c. If the error is not the fault of the tenant, and corrective action results in a decreased rent, such rent shall be made effective as of the date the error was made.

C. Changes in Household Composition

All participants are required to report any change in household composition within 10 working days of the change to the Authority and to the landlord. New household members may be added to the resident's lease if the new family

member has been added as the result of birth, marriage, reconciliation with a spouse, legal adoption, award of custody to or by a member of a household on the lease and award of a foster child. However, no new household member over the age of five years may be added unless and until that person has provided the required information to the Section 8 Department and been determined eligible for admission according to the guidelines specified in Section II of this policy. The Housing Authority has the right to deny admission to any person found to be ineligible.

Participants must provide documentation as required by the Authority when reporting that a family member has left the household. In the case of an income producing household member, the Authority will require written documentation verifying the new address or other evidence deemed acceptable by the Authority. Utility bills, a driver's license, an automobile registration, voter registration, an employer's verification, or a lease or a rent receipt bearing the family member's name, new address and a date are examples of acceptable evidence. Court papers indicating that a family member has left the household such as a Petition for Dissolution of Marriage, a Petition for an Order of Protection, or a Petition for Legal Separation may also be acceptable.

D. Family Moves with Continued Assistance

1. If the tenant desires to relocate, they may do so freely upon completion of the first year's term of the lease. However, the tenant must first submit at least a 30 day written notice to the landlord stating his/her intention to vacate. A copy of this notice, signed by the tenant, must be provided to the HA. It is the HA's recommendation that the tenant submit a 60 day notice to our office to allow time to process our paperwork.
2. If the tenant desires to relocate, but has not completed the initial year's term of the lease, the transfer will not be granted by the HA unless both tenant and landlord mutually agree to rescind the lease. If both the landlord and tenant do so agree, they must both sign a mutual rescission form supplied by the HA. A copy of the rescission must be provided to the HA.
3. (For pre 9/95 HAP Contracts) If, after the move-out inspection, it is determined that the final assessment of damages is in excess of the security deposit, the tenant will be offered a repayment arrangement in the form of a promissory note. However, the tenant is not obligated to sign a promissory note as a condition of continued assistance, but repayment is required, and payments must be current to move or at annual re-examination
4. Participants are limited to one move in any 12 month period, unless the move is a result of extenuating circumstances. In this case, the participant must submit a written request for lease termination as well as a brief explanation for the move no less than 30 days from the effective date of the move. Prior approval must be given by the HA.

5. If the family wants to move to a new unit that is located in another jurisdiction, the family must provide notice to the HA and must specify the area where the family wants to move.
6. The HA may deny a participant family's request to move if the family has not complied with a Repayment Agreement executed with the current or another HA, or if the HA does not have sufficient funding for continued assistance.

E. Assistance for Families Under Lease

The HA will plan, develop and coordinate working relationships with human services and social service agencies that can be of help to tenants. The HA staff will assist in providing information and referral service to tenants. Families who have questions regarding their participation in the Certificate/Voucher Program, may request assistance from the HA.

F. Family Break-Up

In the case of family break-up, the HA has the discretion to decide which members of an assisted family will continue to receive the housing assistance. In making such a determination, the factors to be considered may include: whether the assistance should remain with family members remaining in the original assisted unit; the interest of minor children or of ill, elderly or disabled family members; and whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household.

If a court determines the disposition of property between members of the assisted family in a divorce or separation under the settlement or judicial decree, the HA will follow the court's determination of which family members continue to receive assistance in the program.

In the case where there is no adult remaining family member and there are minors still living in the unit, the Authority will accept proof of legal guardianship of remaining minors and will grant remaining member status subject to all program eligibility considerations.

G. Family Absence From Unit

The family may be absent from the unit for brief periods. However, the family may not be absent from the unit for a period of more than 180 consecutive calendar days in any circumstance, or for any reason.

Absence means that no member of the family is residing in the unit. Absences can be for vacations, hospitalization, or imprisonment.

If the family will be absent from the unit for more than 30 consecutive calendar days the family must notify the HA in writing of the following:

1. The reason they are absent.
2. Anticipated date they will return to the unit.

For imprisonment and hospitalization, written verification will be requested by the HA from these two places on a monthly basis regarding the status of the family's anticipated return to the unit.

If the family is on vacation, the family must report in monthly to the HA by mail or telephone regarding the status of the family's anticipated return to the unit.

The family will be required to pay their portion of the rent and the unit must meet HQS, and all utilities must be on.

The HA will send written notice of termination to the family and owner if the family will not be returning to the unit within 180 days.

The Housing Assistance Payment will terminate if the family is absent for more than 180 consecutive calendar days. The term of the HAP contract and assisted lease will terminate also.

If the family is terminated from the program because they were absent from the unit for more than 180 days, they must reapply and go on the waiting list.

H. Repayment Agreements

If a participant owes money to the HA, the HA may require the participant to enter into a repayment agreement or may require repayment on demand. The agreement will stipulate that the participant must initially pay 20% of the claim and pay the remainder within the next eleven months. If the participant does not comply with the repayment agreement, the HA may terminate the participant from the program. However, the HA will consider extenuating circumstances on a case-by-case basis.

If the HA determines that the family committed fraud or was grossly irresponsible, the HA may require the family to repay the entire amount in full or have its assistance terminated, since fraud or gross irresponsibility are considered a violation of a family obligation.

In no case does the HA have a responsibility to enter into a repayment agreement. If the family's assistance is terminated and repayment has not been made, the money will still be considered to be owed and the HA may still take action to collect the amounts owed.

SECTION XII

TERMINATION, CLAIMS AND COMPLAINTS AND APPEALS

A. Termination of Tenancy By Owner or Partion

1. **Owner Initiated Lease Termination.** During the term of the lease, the owner may terminate tenancy on the following grounds:
 - a. Serious or repeated violation of the terms and conditions of the lease;
 - b. Violation of Federal, State or local law that imposes obligations on a tenant in connection with the occupancy or use of the premises; or
 - c. Other good cause. However, during the first year of the lease, the owner may not terminate for "other good cause" unless the termination is based on something the family did or failed to do. The following are some examples of "other good cause" for termination of tenancy by the landlord:
 - (i) Failure by the Tenant Family to accept the offer of a new or revised lease.
 - (ii) Tenant Family history of disturbance of neighbors or destruction of property, or of living or housekeeping habits resulting in damage to the unit or property.
 - (iii) Criminal activity by Tenant, any member of the household, a guest or another person under the tenant's control, that threatens the health and safety or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity of the premises.
 - (iv) Any drug related criminal activity on or near the premises.
 - (v) The landlord's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit; or
 - (vi) A business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, desire to rent the unit at a higher rental).

The owner may only evict the tenant from the unit by instituting a court action.

NOTE: This list of examples is intended as a non-exclusive statement of some situations included in "other good cause," but shall in no way be construed as a limitation on the application of

"other good cause" to situations not included in the list. The owner may not terminate the tenancy during the first year of the term of the lease, for example, for reasons (i), (v) or (vi) of "other good cause."

If termination is due to a "business or economic reason" (i.e., the HA is unable to approve the amount of rent you are currently charging), or "expiration" of the HAP contract, a written notice must be sent the tenant family in accordance with the lease and state and local law.

- d. If owner initiates an eviction action in accordance with the lease and the family continues to live in the unit, the HA will continue to make payments until the family moves or is evicted.
- e. The owner will keep the full payment for the month in which the family moves out in "skip" cases. If the family does not skip and the lease is scheduled to terminate during the month, then the owner keeps a prorated payment for the last month.

2. Participant Initiated Lease Termination.

- a. If a tenant wishes to move, they may do so at any time after the first year of the term of the lease. The tenant must submit a 30 day written notice, but not more than a 60 day notice, to the landlord. A copy of this notice, signed by the tenant, must be provided to the HA. The HA will acknowledge receipt of the notice to move and will forward a copy of the procedures required to re-certify the tenant for assistance to the tenant and current landlord. The procedures will also include instructions to the landlord regarding move-out inspections for pre 1995 HAP contracts.
- b. If a family desires to be released prematurely from a lease in effect at the time, such tenant shall first obtain a Mutual Rescission form from the HA. This form must be filled out, in full, by the landlord and tenant. The HA will limit moves to one per 12-month period.
- c. If a family moves with continued assistance, the term of the lease for the new unit may begin during the month in which the family moves from the old unit, and payment may overlap for the old and new units. This is not considered a duplicative housing subsidy. The HA may deny permission to move if there is insufficient funding for continued assistance.
- d. If the family wishes to terminate assistance voluntarily and remain in the unit, the family and owner must provide the HA with a 30-day written notification that they intend to terminate the HA Lease and HAP and execute a new lease with the tenant.

B. Housing Assistance Termination

Program participants in the Section 8 programs will continue to receive assistance as long as they comply with program obligations. If a participant family fails to abide by the program obligations, they may be terminated from the Section 8 Program which will result in the discontinuation of the housing assistance in the family's current unit and in all future units.

All participants for whom the HA intends to terminate assistance will be provided a written notification informing them of the reason for the termination determination and the right to request an Informal Hearing.

1. The HA may terminate housing assistance for the following reasons:
 - a. If the family violates any family obligations under the program.
 - b. If any member of the family has been evicted from public housing.
 - c. If the HA has ever terminated assistance under the certificate or voucher program for any member of the family.
 - d. If any member, guest, or visitor of the family commits drug-related criminal activity, or any criminal activity.
 - e. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
 - f. If the family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.
 - g. If the family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
 - h. If the family breaches an agreement with the HA to pay amounts owed to an HA, or amounts paid to an owner by an HA.
 - i. If a family has engaged in or threatened abusive or violent behavior toward HA personnel.
 - j. If any family member fails to sign and submit consent forms for obtaining information.
 - k. Evidence of citizenship (i.e., the declaration) and eligible immigration status is not submitted by date specified by the HA.
 - l. Evidence of citizenship or eligible immigration status is submitted in a timely manner, but INS primary and secondary verification does not verify eligible status of any family member and:

- (i) Family does not pursue INS appeal or HA informal hearing rights or
 - (ii) INS appeal and informal hearing rights are pursued but final appeal and/or hearing is decided against family member.
- m. The tenant has failed to meet his/her HQS obligation in cases where they are responsible for tenant supplied appliances or utilities and/or the activities of their guests.
- n. The tenant has failed to promptly notify the HA if any family member no longer resides in the unit.
- o. The family fails to promptly inform the HA of birth, adoption, or custody of a child and request approval to add any other family member.
- p. The family fails to promptly notify the HA of any absence from the unit.
- q. The family has committed fraud, bribery or any other corrupt or criminal act in connection with the Certificate/Voucher programs.
- r. If any family member illegally uses, or possesses for personal use, a controlled substance. Such use or possession must have occurred within one year before the date the housing authority provides notice to the family of its decision to terminate assistance. The housing authority will not deny or terminate assistance for such use or possession by a family member, if the family member can demonstrate that he or she:
 - (i) Has an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such an impairment; and
 - (ii) Is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. As a condition of being allowed to reside in the unit, the HA will require evidence of participation in, or successful completion of, a treatment program from the family member who has engaged in the illegal use of drugs.
- s. If a family signed a statement certifying that a person who engaged in domestic violence against the household would not be allowed to reside in the household, breach of this certification may be grounds for termination of assistance.
- t. The housing authority determines that there is reasonable cause to believe that the participant abuses alcohol in a way that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. The HA may waive this provision

if the participant demonstrates to the HA's satisfaction that the participant is no longer engaging in abuse of alcohol and:

- (i) Has successfully completed a supervised drug or alcohol rehabilitation program;
- (ii) Has otherwise been rehabilitated successfully; or
- (iii) Is participating in a supervised drug or alcohol rehabilitation program.

u. The tenant has a total tenant payment equal to or greater than the gross rent for the unit for six (6) months.

v. The tenant is evicted by court action from their assisted unit.

w. The HA may consider all relevant circumstances surrounding criminal offenses, such as:

- i. Seriousness of the offense.
- ii. To what extent did other family member participate.
- iii. Circumstances related to a disability.
- iv. What effect to other family members who were not involved if they were denied.

C. Contract Termination

1. HAP contracts terminate automatically 180 calendar days after the last housing assistance payment to the owner. The HA may terminate, with a 30 day or less written notice, a contract with a landlord for the following reasons:

- a. The unit is not in compliance with Housing Quality Standards because the owner has refused, or failed to correct the HQS deficiencies after proper notice by the HA.
- b. The tenant has moved.
- c. The tenant has been notified by the HA to move because the unit is either overcrowded or under occupied.
- d. The owner has committed any fraud or made any false statement to the HA or HUD in connection with the contract, or has committed fraud or made any false statement in connection with any federal housing assistance program.
- e. The unit is determined by the HA and/or owner to be abandoned or unoccupied.
- f. Lease is terminated by mutual agreement of the owner and tenant, then the HAP contract automatically terminates in accordance with the contract terms.

- g. The HA cannot approve the new rent requested by the owner, and the owner will not accept a lower rent.
- h. The HA has found it necessary to terminate the tenant's assistance for documented good cause.
- i. Owner has decided to terminate tenancy for "other good cause" that is a business or economic reason.
- j. If the owner has violated any obligation under this Contract or under any other Housing Assistance Payments contract under Section 8 of the U.S. Housing Act of 1937.
- k. If the owner has demonstrated any intention to violate any obligation under this Contract or under any other Housing Assistance Payments contract under Section 8 of the U.S. Housing Act of 1937.
- l. For projects with mortgages insured by HUD, or loans made by HUD, if the owner has failed to comply with the regulations for the applicable mortgage insurance or loan program, with the mortgage or mortgage note, or with the Regulatory Agreement; or if the owner has filed any false statement or misrepresentation with HUD in connection with the mortgage or loan.
- m. If the owner has engaged in drug trafficking and/or violent criminal activity.

NOTE: If the HA determines that a breach has occurred, the HA may exercise any of its rights or remedies under the Contract. The HA shall notify the Owner in writing of such determination, including a brief statement of the reasons for the determination. The notice by the HA to the owner may require the owner to take corrective action (as verified by the HA) by a time prescribed in the notice. The HA's rights and remedies under the Contract include recovery of overpayments, termination or reduction of Housing Assistance Payments, and termination of the Contract.

D. Claims. Claims will be paid only for pre 9/95 versions of the HAP contract, and only in cases when the requirements specified below are met. No claims will be honored for owners under the HAP contract edition dated 9/95 or after. Only program eligible to make a claim is the Project-Based Certificate program.

- 1. General Conditions. The landlord must request a move-out inspection within 7 days of the tenant's move. It will be the owner's responsibility to notify the tenant to be present at the move-out inspection. Completion of the move-out inspection and damage report or notification that the parties have waived the move-out inspection, initiates the final claim for payment or the closing of the file.

-
2. Eligible Expenses and Maximum Amounts for Unpaid Rent and Damages.
 - a. *Project-Based Certificate Program:* On the Certificate Program, claims can be paid for actual amounts due to the owner for unpaid rent and damages, (up to two months contract rent minus the security deposit the owner could collect or actually collected).
 3. Unpaid Rent.
 - a. Under the lease and contract, it is a tenant's responsibility to pay his portion of the rent every month and an owner's responsibility to collect the tenant's portion of rent every month. It is an owner's responsibility to evict on grounds of non-payment of rent if a tenant does not pay his rent. Late charges may not be included in a claim for unpaid rent. An owner must demonstrate that a good faith effort was made to collect the rent during the tenant's occupancy.
 - b. Claims for unpaid rent must be supported by a dated copy of a bill(s) or notice(s) which the owner sent to tenants, or other documentation showing that the owner took all reasonable steps to collect the debt at the time that it occurred including legal actions. Claims for unpaid tenant rent will be authorized only for the time in which the tenant occupied the unit during the last lease term.
 4. Damages.
 - a. A move-out inspection will not be made unless the landlord intends to file a damage claim. All damage claims must be submitted within 60 days of the date of move-out. The landlord must comply the Iowa State law regarding tenant notification of security deposit return or reason for retaining the security deposit.
 - b. The extent of damages will be determined by all parties attending the move-out inspection. No move out inspection will be performed until the family has actually vacated the unit and their belongings have been removed.
 - c. All claims must be submitted with documentation that the landlord has complied with State law. The letter requesting payment must be sent to the tenant's last known address by certified mail. If the letter is returned because the tenant did not leave a forwarding address, or it was unclaimed, it must be submitted along with the claim. Final responsibility for determining the reasonableness of the claim rests with the HA.
 - d. Claims must be submitted with, ITEMIZED receipts for materials and labor. The HA will not accept cash register receipts unless accompanied by a detailed invoice from the vendor. Bids and
-

estimates will not be accepted. All labor costs must be itemized and must include a reasonable hourly rate and a reasonable time spent on cleaning and/or repair of each job.

- e. Cost of filing eviction and forcible detainer to remove tenant from premises when they have violated their lease shall not be considered a "damage" to said unit and should not be included in the listing of said damages for reimbursement.
- f. The final responsibility for determining that the amount paid for a claim for damages is reasonable and properly supported rests with the HA. A move-in inspection report clearly documenting conditions at the time of admission is essential to this determination.

5. Final Processing of Claims.

- a. If the Security Deposit is insufficient to reimburse the owner for unpaid Tenant Rent or other amounts which the family owes under the lease, or if the owner did not collect a security deposit, the owner may claim reimbursement from the HA for an amount not to exceed the lesser of:
 - (i) The amount owed to the owner, or:
 - (ii) Two month's contract rent (Certificate Program) or one month's contract rent (Voucher Program), minus, in either case, the greater of the security deposit actually collected, or the amount of security the owner could have collected under the program. Any reimbursement must be applied first toward any unpaid rent for the period after the family vacates.
- b. The HA will provide written notice to the landlord advising him/her of the HA's determination of amounts to be paid and allowing ten (10) days for dispute. Upon notification of acceptance of the HA proposal, the HA will notify the tenant of the damage claim and will be advised of their right to an informal hearing. The tenant will be given 15 days to submit a request for informal hearing to review and challenge the landlord's claim for damages.
- c. Owners and tenants are notified of the results of the claim in writing including the amount of liability to the HA. The completed claim forms are submitted to accounting for final payment.
- d. All tenants who remain in the program and have incurred a liability are requested to execute a payment agreement to reimburse the HA. A tenant may not be required to sign a payment agreement as a condition of continued assistance.

6. Vacancy Loss.

- a. *Voucher Program:* No vacancy loss will be paid to a property owner participating in the Voucher Program.
- b. *Project-Based Certificate Program:* Owners are required to submit the following information to receive a vacancy loss payment (Certificate Program only):
 - (i) The date the unit was vacated, and
 - (ii) The date the unit was re-rented, and
 - (iii) The efforts made to re-rent the unit during the vacancy period.

E. Complaints and Appeals

1. Complaints.

- a. *Discrimination:* If a person encounters discrimination from an owner in obtaining a unit, the HA will refer them to the local fair housing office or will assist the person in filing a complaint with the Department of Housing and Urban Development with a review of the specific circumstances.
- b. *Tenant/Landlord Complaint Regarding HA Decision:* If a tenant or landlord disagrees with a decision by a Section 8 staff person, the following procedure is available:
 - (i) Contact the Housing Services Program Manager/Supervisor and discuss the problem.

2. Appeals.

- a. *Participants:* The HA has established an informal hearing procedure which is in accordance with federal regulations. All participant appeals will be handled as specified by these procedures. (See F. Informal Hearing.)
- b. *Applicants:* The HA has established an informal review procedure which is in accordance with federal regulations. All applicant appeals will be handled as specified by these procedures. (See Section III, F. Informal Review.)

F. Informal Hearing

The purpose of the Informal Hearing is to give the participant an opportunity to review the determination to ensure that it is in accordance with the law, HUD regulations and program rules. Pursuant to a judgment from the federal district court of Linn County, the HA will conduct informal hearings according to the following procedure. An outline of the hearing procedures is included in Appendix 7 and 7a.

Informal hearings will be provided to Section 8 participants requesting to appeal the HA's determination regarding:

1. Income determination for HAP.
2. Utility allowance determination.
3. Family unit size under HA subsidy standard.
4. Bedroom size conflicts with subsidy standard.
5. Determination of violation of Section 982.552(b), "Grounds for termination".
6. Determination on absence from unit for longer than the maximum 180 days, per HUD regulations.
7. Determination on family breach of HQS.
8. Damage claims charged by property owners (for pre-January, 1996 leases).

The HA will send a written notification, by certified and regular mail, to participants terminated for the above listed reasons. The notification will state the factual basis and legal basis for the determination. The participants will be given fifteen (15) days to submit a written request to the HA for informal hearing. If the participant does not respond within the 15-day period, then the HA's determination will be upheld.

Prior to the informal hearing, the participant has the right to pre-hearing discovery and may make an appointment with the HA staff to review any and all documents upon which the HA intends to use during the hearing. An appointment will be required at a minimum of 24 hours in advance to review HA documents. The participant may obtain copies of the documents at their own expense. The HA staff will review these documents prior to photocopying them for the participant.

The HA will schedule the Informal Hearing, at the convenience of the Hearing Officer. The Hearing Officer will be an impartial person who does not perform duties inconsistent with his/her duties and responsibilities as a hearing officer. The HA's Informal Hearing procedures are included in this Plan.

The HA is not bound by the decision of the Hearing Officer where the decision is contrary to HUD regulations or requirements or contrary to federal, State, or local law. If the HA determines that it is not bound by the Hearing Officer's decision, the HA will notify the family of the determination and the reasons for the determination.

A 24 hour notice is required to cancel or reschedule the hearing.

SECTION XIII

ADDITIONAL ITEMS

A. Misrepresentation

The resident is to be notified in writing if the Authority finds evidence that the resident or any adult member of the resident family has misrepresented facts affecting the family's eligibility or rent. Willful misrepresentation of facts may result in retroactive rent charges, termination of assistance, and/or criminal prosecution.

Section 1001 of Title 18 of the United States Code makes it a criminal offense to knowingly make a false statement to any department or agency of the United States as to any matter within its jurisdiction and establishes penalties of fines up to \$10,000 and/or imprisonment not to exceed five years.

B. Monitoring Program Performance

The HA places strong emphasis on staff communication in regular staff meetings. Problems and potential problems are investigated, discussed and handled using team effort. The HA management policy is formulated accordingly. Internal policies and procedures, as required for the implementation of the Administrative Plan, shall be developed as necessary.

A monitoring and evaluation system has been developed to include major program areas. This system is designed to ensure that regulations are followed and program goals are met. Changes in approach are initiated on a as-needed basis, subject to program regulations and funding limitations. Annual and interim re-examinations, leases, contracts, and supporting documents are checked by appropriate staff for accuracy, completion, and program compliance. An annual financial audit will be conducted on an annual basis by an independent public accountant.

The HA will maintain records of applications, eligibility and ineligibility determinations, verifications, HQS inspections, leases, contracts and payment information in applicant and participant files. Inactive files will be maintained for a minimum of three years.

Applicable records related to immigration status will be maintained for a minimum of five years. All other aspects of monitoring program performance will be performed in accordance with HUD requirements and the HA's policies.

C. Interpretation and Amendment

1. Interpretation.

The policies set forth herein shall be interpreted, implemented and acted upon in relation to the laws of the United States and the State of Iowa, and all rules, regulations and policies enacted, enforced or promulgated by the United States

Department of Housing and Urban Development, all of which shall take precedence over the Policies and Procedures described in this Administrative Plan and all of which are incorporated herein by reference and all current rules, regulations and policies, including but not limited to Income Limits, Utility Schedules and Fair Market Rents, shall be in accordance with Federal law.

2. Amendment.

The policies outlined herein shall be amended only by resolution adopted by the affirmative vote of the HA Board upon recommendation by the HA, except that no action shall be required to make changes required by laws of the United States or the State of Iowa or any rules, regulations and policies enacted, enforced or promulgated by the United States Department of Housing and Urban Development, all of which shall take precedence over the herein expressed Policies, and all of which are incorporated herein by reference. The HA Board of Commissioners will be notified of any subsequent changes that may be effective through new Federal regulations.

D. Family Self-Sufficiency Program (FSS)

As mandated by HUD, the HA is required to operate a program to promote self-sufficiency of assisted families.

The FSS Action Plan included in the Appendix addresses the specifics of the program.

APPENDICES

SECTION 8 ADMINISTRATIVE PLAN GLOSSARY OF TERMS

ABSORPTION

In portability, the point at which a receiving HA chooses not to bill or stops billing the initial HA for assistance on behalf of a family and issues assistance from its own allocation.

ADJUSTED INCOME

Annual income less the following allowances determined in accordance with HUD instructions:

1. \$480 for each Dependent;

Note: The head, co-head, spouse, foster child or live-in aide are never counted as dependents.
2. \$400 for each family whose head or spouse is at least 62 years or age or disabled;
3. For any family that is not an elderly family or a disabled family but has a disabled member other than the head of household or spouse, disability assistance expenses in excess of three percent of annual income, but this allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of assistance to the person with disabilities;
4. For any elderly family or disabled family: (i) that does not have disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed three percent of annual income; (ii) that has disability assistance expenses greater than or equal to three percent of annual income, an allowance for disability assistance expenses computed in accordance with paragraph 3 of this section, plus an allowance for medical expenses that is equal to family's medical expenses; (iii) that has disability assistance expenses that are less than three percent of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the amount by which the sum of these expenses exceeds three percent of annual income; and
5. Child care expenses (see Section V for detail).

ADMISSION

The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ANNUAL INCOME

1. Annual income is the anticipated total income from all sources (monetary or not) received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets for the 12-month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporarily non-recurring or sporadic. Annual income includes, but is not limited to:
 - a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - b. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family.
 - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. All allowance for depreciation is permitted only as authorized in paragraph 1b of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD.
 - d. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amount for the delayed start of a periodic payment (except as provided in 2n below).
 - e. Payments in lieu of earnings such as unemployment and disability compensation, worker's compensation and severance pay.

- f. Periodic and determinable allowances, such as alimony and child support payments and regular contributions or gifts received from persons not residing in the dwelling.
- g. All regular pay, special pay allowances of a member of the Armed Forces (whether or not living in the dwelling) who is head of the family or spouse (but see 2g below).

2. Income Exclusions

Annual income does not include the following:

- a. Income from employment of children (including foster children) under the age of 18 years;
- b. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone);
- c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in 1e above);
- d. Amounts received by the Family that are specifically for, or in reimbursement of, the cost of Medical Expenses for any Family member;
- e. Income of a live-in aide as defined in 24 CFR 5.403;
- f. The full amount of student financial assistance paid directly to the student or to the educational institution;
- g. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire;
 - (i) Amounts received under training programs funded by HUD;
 - (ii) Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (iii) Amounts received by a tenant in other publicly assisted programs which are specifically for or in reimbursement of out-of pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program; or

- (iv) A resident service stipend: this is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the HA, on a part-time basis, that enhances the quality of life in public housing. This may include, but is not limited to fire patrol, hall monitoring, lawn maintenance and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time; or
 - (v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with the local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.
- i. Temporary, non-recurring or sporadic income (including gifts);
- j. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- k. Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse);
 - (i) Adoption assistance payments in excess of \$480.00 per adopted child;
- m. Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump-sum amount or in prospective monthly amounts;
- n. Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit;
- o. Amounts paid by a State Agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
- p. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the 1937 Act. The following is a list of incomes that qualify for that exclusion:
 - (i) The value of the allotment provided to an eligible household under Food Stamp Act of 1977;

- (ii) Payments to volunteers under the Domestic Volunteer Service Act of 1973 (employment through VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions); (See Regulations for comprehensive list)
- (iii) Payments received under Alaska Native Claims Settlement Act;
- (iv) Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes;
- (v) Payments or allowances made under department of Health and Human Services' Low-Income Energy Assistance Program;
- (vi) Payments received under programs funded in whole or in part under the Job Training Partnership Act;
- (vii) Income derived from the disposition of funds of Grant River Band of Ottawa Indians;
- (viii) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of Interior;
- (ix) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the BIA student assistance programs. These are made available to cover the cost of tuition, fees, books, equipment, materials, supplies, transportation and miscellaneous personal expenses of a student or an educational institution;
- (x) Payments received from programs funded under Title V of the Older Americans Act of 1965;
- (xi) Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, MDL No. 381 (E.D.N.Y.);
- (xii) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-426, 94 Stat. 1785).
- (xiii) The value of any childcare provided or reimbursed for under the Child Care and Development Block Grant Act of 1990.
- (xiv) Earned income tax credit.

- (xv) payments by the Indian claims Commission to the Confederated Tribes and Banks of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);
 - (xvi) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637 (d));
 - (xvii) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
 - (xviii) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
 - (xiv) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).
3. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for shorter periods may be annualized, subject to re-determination at the end of the shorter period.
 4. Any family receiving the reparation payments referred to in paragraph 2j of this section that has been requested to repay assistance under this chapter as a result of receipt of such payments shall not be required to make further repayments on or after April 23, 1993.

APPLICANT (Applicant Family)

A family that has applied for admission to a program, but is not yet a participant in the program.

AREA OF OPERATION

The recognized City of Cedar Rapids which shall not conflict with any other area of jurisdiction.

ASSETS

The values of (or equity) in the real property, stocks, bonds, savings accounts or certificates, stocks or merchandise or valuables and other forms of capital investments. (Does not include personal and household belongings and automobiles.) Assets shall include any asset disposed of at less than fair market value within the last two years.

CERTIFICATE

A document issued by an HA to a family selected for admission to the rental certificate program. The certificate describes the program, and the procedures

for HA approval of a unit selected by the family. The certificate also states the obligations of the family under the program.

CHILD

A member of the family, other than the family head or spouse, who is under 18 years of age.

CHILD CARE EXPENSES

Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period of which annual income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his/her education. A child care deduction will not be allowed if an adult family member is capable and available to provide the child care. The amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment and only to the extent such amounts are not reimbursed.

CITIZEN

A citizen (by birth or naturalization) or national of the United States

CONTIGUOUS MSA

In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial HA is located.

CONTINUOUSLY ASSISTED

An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act Program when the family is admitted to the certificate or voucher program.

CONTRACT RENT

The total amount of rent specified in the Housing Assistance Payments Contract as payable by the HA and the tenant to the owner for an assisted unit. In the case of the rental of only a manufactured home space, Contract Rent is the total rent specified in the HAP Contract as payable by the HA and the tenant to the owner for the rental of the space, including fees or charges for management and maintenance services with respect to the space, but excluding utility charges for the manufactured home.

DECENT, SAFE AND SANITARY HOUSING

Housing that meets the Housing Quality Standards contained in the federal regulations or the requirements for Single Room Occupancy (SRO) Housing.

DEPENDENT

A member of the family household (excluding foster children, head of household, or spouse) who is under 18 years of age or is a disabled person or is a full time student.

DISABILITY

1. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
2. Blind and unable by reason for such blindness, to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

DISABLED PERSON

A person who is under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)) which defines a developmental disability as:

"severe chronic disability that (a) is attributable to a mental or physical impairment or combination of mental and physical impairments; (b) is manifested before the person attains age twenty-two; (c) is likely to continue indefinitely; (d) results in substantial functional limitations in three or more of the following areas of major life activity: (1) self-care, (2) receptive and responsive language, (3) learning, (4) mobility, (5) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and (e) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong extended duration and are individually planned and coordinated."

DISPLACED FAMILY

A family in which each member, or whose sole member, is a person displaced by governmental action (this includes physical displacement from a unit under construction and funded by the rental rehabilitation program), or a person whose dwelling has been extensively damages or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws. This definition is used to determine general program eligibility and eligibility for certain allowances when rent is calculated. See also the definition of Involuntarily Displaced (preference definition).

DISPLACEMENT BY GOVERNMENT ACTION

Activity carried on by an agency of the U.S. or by any state or local governmental body or agency in connection with code enforcement or public

improvements or development program.

DISABILITY ASSISTANCE EXPENSES

Reasonable expenses that are anticipated during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, or provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

DOMICILE

The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY

Term means:

1. Drug-trafficking; or
2. Illegal use, or possession for personal use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802.))

DRUG-TRAFFICKING

The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell or distribute, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ELDERLY FAMILY

A family whose head or spouse or whose sole member is an elderly, disabled person. It may include two or more elderly or disabled persons living together, or one or more of these persons living with one or more live-in aides.

ELDERLY PERSON

A person who is at least sixty-two (62) years of age.

EVIDENCE OF CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS

The documents which must be submitted to prove citizenship or eligible immigration status.

EXTREMELY LOW INCOME

30% or below of area median income.

EXCESS MEDICAL EXPENSES

Any medical expenses incurred by elderly families in excess of 3% of annual income which are not reimbursable from any other source.

FAIR MARKET RENT

The rent, including utilities (except telephone), ranges, refrigerators, and all maintenance, management, and other services, which as determined at least annually by HUD, would be required to be paid in order to obtain privately owned, existing decent, safe, and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Separate Fair Market Rents shall be established for dwelling units of varying sizes (number of bedrooms).

FAIR MARKET RENT (MOBILE HOMES)

40% of the published 2 bedroom FMR.

FAMILY

A family is defined as:

1. Two or more persons sharing residency whose income and resources are available to meet the family's needs, where the person to be designated head of household meets the HA's definition of adult and who are either related by blood, marriage or operation of law, or who have evidence a stable family relationship over a period of time which shall not be less than one year; or
2. An Elderly Household whose head or spouse or sole member is elderly or disabled. The household may include one or more elderly or disabled persons living together or one or more such persons living with one another who is determined to be essential to their care or well being.
3. A single adult person, with no other children, who is pregnant or in the process of securing legal custody of any individual under the age of 18 years; or who shares joint custody of any individual under the age of 18 years at least 50% of the time; or
4. Any other single person.

FAMILY SELF-SUFFICIENCY (FSS Program)

The program established by an HA to promote self-sufficiency of assisted families, including the provision of supportive services

FAMILY SHARE

The portion of rent and utilities paid by the family.

FAMILY UNIFICATION PROGRAM

The program provides assistance to families for whom a lack of adequate, suitable housing is a primary factor in the separation, or potential for separation of the children, from their families. It can also be used if there is a

delay in the discharge of children (preventing the children from returning home), due to lack of appropriate housing.

FAMILY UNIT SIZE

The appropriate number of bedrooms for a family. Family unit size is determined by the HA under the HA subsidy standards.

FULL-TIME STUDENT

A person who is carrying a subject load that is considered full time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

GROSS RENT

The total monthly cost of housing an eligible family, which is the sum of the Contract Rent and any utility allowance for the assisted unit. In the case of rental of only manufactured home space, gross rent also includes the family's monthly payment to amortize the purchase price of the manufactured home.

HEAD OF HOUSEHOLD

The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

HOUSING AGENCY (HA)

A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing.

HOUSING ASSISTANCE PAYMENT (HAP)

The monthly assistance payment by an HA. The total assistance payment consists of:

1. A payment to the owner for rent to owner under the family's lease.
2. An additional payment to the family if the total assistance payment exceeds the rent to owner. In the certificate program, the additional payment is called a "utility reimbursement".

HOUSING QUALITY STANDARDS (HQS)

The HUD minimum quality standards for housing assisted under the tenant-based program.

HOUSING PRESERVATION VOUCHERS

Families eligible to receive a voucher because of a mortgage prepayment or voluntary termination of a mortgage insurance contract.

INITIAL CONTRACT RENT

In the certificate program, the contract rent at the beginning of the initial lease term.

INITIAL HA

In portability, the term refers to both:

1. A HA that originally selected a family that subsequently decides to move out of the jurisdiction of the selecting HA.
2. A HA that absorbed a family that subsequently decides to move out of the jurisdiction of the absorbing HA.

INITIAL LEASE TERM

The initial term of the assisted lease. The initial lease term must be for at least one year.

INS

The U.S. Immigration & Naturalization Service.

JURISDICTION

The area in which the HA has authority under State and local law to administer the program.

LEASE

1. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner and the HA.
2. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's cooperative dwelling unit by the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the HA.

LIVE-IN AIDE

A person residing with an elderly or disabled person or persons solely for the purpose of providing medical care. The need for such care must be medically verified. Live-in aides are not counted as family members and their income is not included in the calculation of family income. The name of a live-in aide will be listed on the lease, and 50058. The notation "live-in aide" will be made on the calculation sheet for bedroom size determination purposes only. Tenant must request and receive approval for each and any live-in aide.

LOCAL PREFERENCE

A preference used by the HA to select among applicant families without regard to their federal preference status.

LOW-INCOME FAMILY

A family whose Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families.

LUMP-SUM BENEFIT

A payment of monthly benefits for a previous period which may be included as income (except such lump sums of Social Security shall not be counted as income). Only that portion of the payment attributable to the time the tenant resided continuously under the Section 8 Program may be counted as income.

MAINSTREAM DISABILITY

This program provides rent assistance to families/individuals who are disabled.

MEDICAL EXPENSES

For purposes of income determination for elderly persons or families, medical expense in excess of 3% of total family income, where these expenses are not compensated for, or are covered by insurance. Medical expenses include such items as medical insurance premiums, dental expenses, prescription and nonprescription medicines, etc.

MINOR

A person less than eighteen years of age (Head of household, spouse, or an unborn child may not be counted as a minor.)

MIXED FAMILY

A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

NATIONAL

A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NET FAMILY ASSETS

Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment excluding interests in Indian trust land and the equity in a housing cooperative unit or in a manufactured home in which the family resides.

NONCITIZEN

A person who is neither a citizen or national of the United States.

OWNER

Any person or entity with the legal right to lease or sublease a unit to a participant.

PARTICIPANT (participant family)

A family that has been admitted to the HA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (first day of initial lease term).

PAYMENT STANDARD

In the voucher program, an amount used by the HA to calculate the housing assistance payment for a family. Each payment standard amount is based on the fair market rent and must be between 90% and 110% of the currently published FMR. The HA adopts a payment standard for each bedroom size and for each fair market rent area in the HA jurisdiction. The payment standard for a family is the maximum monthly subsidy payment.

PERMANENT HOUSING

Does not include homeless shelters, transitional housing and residential facilities.

PORTABILITY

Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial HA.

PREMISES

The building or complex in which the dwelling unit is located, including common areas and grounds.

REASONABLE RENT

A rent to owner that is not more than either:

1. Rent charged for comparable units in the private unassisted market; or
2. Rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

RECEIVING HA

In portability, an HA that received a family selected for participation in the tenant-based program of another HA. The receiving HA issues a certificate or voucher, and provides program assistance to the family.

REMAINING FAMILY MEMBERS

The sole remaining family member after a reduction in family size shall be permitted to remain in housing if over the age of 18 and able to live independently.

RENT REASONABLENESS LIMITATION

The HA is required to certify for each Section 8 Existing unit assisted that the Contract Rent is reasonable in relation to comparable units on the private unassisted market and not in excess of rents currently being charged for comparable unassisted units owned by the same landlord.

RENT TO OWNER

The monthly rent payable to the owner under the lease. Rent to owner includes payment for any services, maintenance and utilities to be provided by the owner in accordance with the lease.

RESIDENCY PREFERENCE

An HA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

RESIDENT OF AREA

A family living in the HA's jurisdiction, working in the HA's jurisdiction or notified that they are hired to work in the HA's jurisdiction. The length of time the family has lived or worked in the jurisdiction may not be considered.

RESPONSIBLE ENTITY

The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status.

SECURITY DEPOSIT

An amount deposited by the tenant, with the owner, which is not in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants.

SINGLE PERSON

A person who lives alone or intends to live alone who does not qualify as an elderly family, displaced person or the remaining member of tenant family.

SPECIAL ADMISSION

Admission of an applicant that is not on the HA waiting list, or without considering the applicants waiting list position.

SPOUSE

Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads".

SUBSIDY STANDARDS

Standards established by an HA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions. See definition of "family unit size".

SUSPENSION

Stopping the clock on the term of a family's certificate of voucher, for such period as determined by the HA, from the time when the family submits a Request for Lease Approval to the HA, until the time when the HA approves or denies the request.

TENANT

The person or persons (other than a live-in aide) who execute the lease as lessee of the dwelling unit.

TENANT RENT

In the certificate program, total tenant payment minus and utility allowance.

TOTAL TENANT PAYMENT

The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UTILITY ALLOWANCE

The HA's estimate of the average monthly utilities (except telephone) for an energy-conscious household. If all utilities are included in the rent, there is no utility allowance. Utility allowances vary by unit type and bedroom size.

UTILITY REIMBURSEMENT

In the certificate/voucher program, the amount, if any, by which any utility allowance for family-paid utilities or other housing services exceeds the total tenant payment.

VERY-LOW INCOME FAMILY

A Low-Income family whose Annual Income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

VIOLENT CRIMINAL ACTIVITY

Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER (rental voucher)

A document issued by an HA to a family selected for admission to the voucher program. The voucher describes the program, and the procedures for HA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

**SECTION 8 ADMINISTRATIVE PLAN
INFORMAL REVIEW PROCEDURES
(For Applicants)**

I. Applicability

- A. The Housing Authority will provide an opportunity for an informal review regarding a decision denying assistance to an applicant, including a decision:
 - 1. Denying placement on the waiting list.
 - 2. Denying participation in the Section 8 Program.
- B. The Housing Authority is not required to provide an opportunity for informal review:
 - 1. To review discretionary administrative determinations by the Housing Authority, or to consider general policy issues or class grievances.
 - 2. To review the Housing Authority's determination of the number of bedrooms determined under the standard established by the Housing Authority in accordance with HUD regulations.
 - 3. To review the Housing Authority's determination that a unit located by a Certificate/Voucher holder does not comply with the Housing Authority's Housing Quality Standards established in accordance with appropriate HUD regulations, or the Housing Authority's determination not to approve a lease for the unit.
 - 4. To review the Housing Authority's decision not to approve a request by a Certificate/Voucher holder for an extension of the term of the Certificate/Voucher.
- C. Applicants are entitled to an informal hearing in cases where they are denied assistance for reasons based upon eligible immigration status. The rules in Appendix 7 and 7a apply in such cases.

II. Procedures

- A. The Housing Authority shall give an applicant prompt written notice of a decision denying assistance to the applicant, including a decision denying placement on the official waiting list, issuance of Certificate of Family Participation, or voucher. The notice shall also state that the applicant may request an informal review of the decision, and shall describe how to obtain the informal review.
- B. The applicant must submit a written request for an informal review within ten days of notification of the decision denying assistance.

- C. If the request does not meet the criteria to be eligible for informal review, the applicant will be promptly notified in writing.
- D. If the request does meet the criteria to be eligible for informal review, an informal review will be scheduled within ten days of the request.
- E. The informal review shall be conducted by any person or persons designated by the Assisted Housing Manager other than a person who made or approved the decision under review or a subordinate of such person.
- F. The applicant shall be given an opportunity to present written or oral objections to the Housing Authority's decision.
- G. The Housing Authority shall notify the applicant in writing within 30 days of the final decision after the informal review, including a brief statement of the reasons for the final decision.

**SECTION 8 ADMINISTRATIVE PLAN
INFORMAL HEARING PROCEDURES
(For Participants)**

I. Applicability

A. *When an informal hearing is required:*

1. An HA must give a participant family an opportunity for an informal hearing to consider whether the following HA decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations and HA policies.
 - (i) A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
 - (ii) A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the HA utility allowance schedule.
 - (iii) A determination of the family unit size under the HA subsidy standards.
 - (iv) A determination that a certificate/voucher program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the HA subsidy standards, or the HA determination to deny the family's request for an exception from the standards.
 - (v) A determination to terminate assistance for a participant family because of the family's action or failure to act (see §982.552).
 - (vi) A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under HA policy and HUD rules.
2. In the cases described in paragraphs (a)(1) (iv), (v) and (vi) of this section, the HA must give the opportunity for an informal hearing before the HA terminates housing assistance payments for the family under an outstanding HAP contract.

B. Pursuant to a federal court decision, the HA is also required to provide a participant family an opportunity for an informal hearing for any of the following:

1. Discretionary administrative determinations by the HA.
2. General policy issues or class grievances.
3. Establishment of the HA schedule of utility allowances for families in the program.
4. An HA determination not to approve an extension or suspension of a certificate or voucher term.
5. An HA determination not to approve a unit or lease.
6. An HA determination that an assisted unit is not in compliance with HQS.

7. An HA determination that the unit is not in accordance with HQS because of the family size.
8. A determination by the HA to exercise or not to exercise any right or remedy against the owner under a HAP contract.

C. *Notice to family:*

1. In the cases described in paragraphs above, the HA must give the family prompt written notice that the family may request a hearing. The notice must:
 - (i) Contain a brief statement of reasons for the decision.
 - (ii) State that if the family does not agree with the decision, the family may request an informal hearing on the decision, and
 - (iii) State the deadline for the family to request an informal hearing.

D. *Expeditious hearing process:*

Where a hearing for a participant family is required under this section, the HA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

II. Procedures

A. *Discovery:*

1. *By family.* The family must be given the opportunity to examine before the HA hearing any HA documents that are directly relevant to the hearing. The family must be allowed to copy any such document at the family's expense. If the HA does not make the document available for examination on request of the family, the HA may not rely on the document at the hearing.
2. *By HA.* The HA hearing procedures may provide that the HA must be given the opportunity to examine at HA offices before the HA hearing any family documents that are directly relevant to the hearing. The HA must be allowed to copy any such document at the HA's expense. If the family does not make the document available for examination on request of the HA, the family may not rely on the document at the hearing.
3. *Documents.* The term "documents" includes records and regulations.

B. *Representation of family:*

At its own expense, the family may be represented by a lawyer or other representative.

C. *Hearing officer: Appointment and authority.*

1. The hearing may be conducted by any person or persons designated by the HA, other than a person who made or approved the decision under review or a subordinate of this person.

2. The person who conducts the hearing may regulate the conduct of the hearing in accordance with the HA hearing procedures.

D. *Evidence:*

The HA and the family must be given the opportunity to present evidence, and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

E. *Issuance of decision:*

The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing. A copy of the hearing decision shall be furnished promptly to the family.

F. *Effect of decision:*

The HA is not bound by a hearing decision:

1. Concerning a matter for which the HA is not required to provide an opportunity for an informal hearing under this section, or that otherwise exceeds the authority of the person conducting the hearing under the HA hearing procedures.
2. Contrary to HUD regulations or requirements, or otherwise contrary to federal, State, or local law.
3. If the HA determines that it is not bound by a hearing decision, the HA must promptly notify the family of the determination, and of the reasons for the determination.